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A MANUAL FOR TOWN CLERKS IN THE COMMONWEALTH OF MASSACHUSETTS

VOLUME 3: ELECTIONS

PERSONNEL
WARRANTS
FACILITIES & EQUIPMENT
PREPARING MATERIALS
ABSENTEE BALLOTS

Written by; MASSACHUSETTS TOWN CLERKS ASSOCIATION

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Governmental Services, University of Massachusetts

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MANUAL FOR
TOWN CLERKS IN THE
COMMONWEALTH OF
MASSACHUSETTS

VOLUME 3

ELECTIONS: PERSONNEL, WARRANTS, FACILITIES & EQUIPMENT, PREPARING MATERIALS, ABSENTEE BALLOTS

Written by

Massachusetts Town Clerk's Association

Published by

Institute for Governmental Services
University of Massachusetts

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June 1986

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For true and accurate public records

THE INSTITUTE FOR GOVERNMENTAL SERVICES, founded in 1970, is a linking agency between the University of Massachusetts and state and local government in the commonwealth. It brings academic expertise and practical experience to bear on issues affecting these state and local agencies through the provision of training, technical assistance, publications, and research.

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FOREWORD

Work on the manual covering a town clerk's duties with respect to elections and related subjects, originally planned as Volume 3 of the series of town clerk's manuals, was begun in the fall of 1977 with the establishment of the various subcommittees of clerks interested in participating in the manual project. Following completion of the preliminary work, the subcommittees on voting, registration, census and campaign finance suspended operation for a time while Volume 1, covering vital records, was completed and published in 1982 and Volume 2, covering a town clerk's duties other than vital records and elections, was completed and published in 1984.

In the fall of 1984, the Volume 3 manual project was reactivated and the voting subcommittee again took up its work. During 1985, the vast scope of the material planned for inclusion in Volume 3 became apparent. If the procedures of the three major voting systems, paper ballots, voting machines, and punch card ballots, currently in use in Massachusetts were to be properly covered, the original Volume 3 would have to be divided into three separate volumes.

The work of the voting subcommittee in the early years of the manual project and its intensive work over the past 18 months has led to the publication of both Volume 3, covering a clerk's duties related to preparing for an election and Volume 4, covering the duties on election day itself and the work required following an election day.

Work has begun on Volume 5, the final volume in the series, which will include duties related to voter registration, nominations, annual town census, and campaign finances.

Betsey M. Powers, Editor
Town Clerk, Retired, Sudbury

ACKNOWLEDGEMENTS

The voting subcommittee of the town clerk's manual committee expresses its appreciation to those who have given much time and effort in making the publication of Volume 3 and Volume 4 possible.

The cooperation of the Office of the Secretary of State should be given recognition. In particular, David E. Sullivan, Legal Counsel, Elections Division, deserves our gratitude for the many hours he has given to the review of the text of both volumes. His valuable suggestions made during many conferences over the past 18 months are greatly appreciated.

The Elections Division of the Office of the Secretary of State is also thanked for providing copies of the many forms and publications related to elections. We have drawn heavily upon the Elections Resources Handbook, the Election Officers Handbooks for each type of voting system, articles prepared for the Public Recorder, and the many informational and instructional memos regularly provided to town clerks.

Many town clerks, who are not members of the voting subcommittee, the Executive Secretary, Elections Commission of the City of Newton, and the City Clerk of Waltham should be thanked for providing assistance, information, forms, and suggestions. In particular, we thank Grace I. Bowen, Town Clerk, retired, of Wayland; Edward W. Devereaux, Town Clerk of Natick; and Edith P. McCracken, Town Clerk of Westwood for the hours spent in reviewing text and for making the resources in their offices so readily available.

We acknowledge the valuable assistance of the staff at the Institute for Governmental Services at the University of Massachusetts in the editing and printing of the Town Clerks' Manual.

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HOW TO USE THIS MANUAL

Throughout this manual many references will be made to the General Laws and to the Acts and Resolves of the Commonwealth and to the Regulations promulgated by the state secretary covering election procedures. These citations refer to specific items and indicate where further information pertaining to that topic may be found.

In order to conserve space, the following legend will be used throughout this manual:

- The General Laws of the Commonwealth

The first number denotes the chapter of the General Laws and numbers after the colon, the section of that particular chapter. For example: [41:1,107] means Chapter 41, sections 1 and 107 of the General Laws.

- The Acts and Resolves

The first number denotes the year in which the act was passed and the second number the chapter. For example: [1985:477] is Chapter 477 of the Acts of 1985.

- Regulations promulgated by the state secretary

The regulations promulgated by the state secretary covering election procedures are as follows:

950 CMR 51.00 (paper ballots)
950 CMR 52.00 (AVM voting machines)
950 CMR 53.00 (Shoup voting machines)*
950 CMR 54.00 and 55.00 (punch card systems)
950 CMR 56.00 (handicapped accessibility)

*Regulations pertaining to the Shoup voting machine will not be covered in this manual as no towns in Massachusetts are currently using them.

For example: [Regs. 51.03(23)(a)] would mean state secretary's regulations pertaining to paper ballots. The first number, 51.03, denotes the section of the regulations; the following number (23), the appropriate paragraph; and (a) the sub-paragraph where the citation will be found.

Public Access Regulations, State Ballot Law Commission Regulations, and Adjudicatory Procedures Regulations are given as full citations in the few places where they occur.

1

ELECTION PERSONNEL

I. ELECTION OFFICERS

NOTES

A. GENERAL

The term "election officer" shall apply to all of the following: wardens, clerks, inspectors and ballot clerks, and to their deputies when on duty; selectmen, town clerks, moderators and tellers when taking part in the conduct of elections. [50:1]

Election officers must be appointed each year and are required for all primaries and elections.

B. APPOINTMENT

Election officers in towns are appointed annually by the board of selectmen in accordance with the procedures specified in 54:12, unless the town has a special act which provides otherwise. [50:6]

1. Notice to Town Committee Chairman [54:12]

Not later than April 15th of each year, the selectmen must notify the chairman of the town committee of each political party that a list of enrolled members of the party who desire appointment as election officers may be submitted. The selectmen's office will probably contact you for the names and addresses of the two chairmen since this information is required to be filed with the town clerk. [52:5] If you are not contacted before about April 10th, you might forward the information to remind the selectmen that the notice must be sent.

2. Lists to be Submitted - Deadline for Submission [54:12]

Not later than June 1st of each year, the chairman of each town committee may submit the names of not more than 8 enrolled party members for each office to be filled. However, in many towns, the chairmen submit only one name for each office.

At any time before appointments are made, the chairmen may also submit additional names on a supplemental list to fill vacancies which may occur in the original list. Appointments must first be made from the original list. Before any appointments can be made from the supplemental list, the selectmen must give 5 days notice by certified mail to any person whose name appears on the original list and who has not been appointed.

A copy of both the original and supplemental list must be filed with the board of registrars as well as with the board of selectmen.

It is the prerogative of the two town committee chairmen to submit whatever names they choose. However, the chairmen are not always familiar with the duties of the different types of election officers and they sometimes submit a name for appointment as a warden, clerk or inspector when the individual is not usually available during the day because of a full-time job or one which is likely to require him to be out of town on election day. If a number of such individuals are appointed as election officers, you may have serious problems in properly staffing the polls. It is suggested that you inform the two town committee chairmen and the selectmen of the duties of each type of election officer well before the deadline for submitting the lists.

Voters often ask the town clerk how to become an election officer and express an interest in being appointed. In this case, it is suggested that you explain the qualifications, the various duties and the hours required. You may forward the name to the chairman of the appropriate town committee or suggest that the voter contact the chairman himself.

3. Failure to Submit List [54:12]

If a town committee chairman fails to submit a list by the June 1st deadline, the selectmen should again send him written notice of the general law provisions. This second notice should be sent prior to June 15th. If no list is submitted upon the expiration of 15 days thereafter, the selectmen may appoint any enrolled members of the party who, in the selectmen's opinion, are qualified to act.

4. Examination of Prospective Election Officers [54:12]

If the selectmen consider it necessary, they may conduct an examination of any person whose name was submitted by the town committee chairmen. They must give 5 days notice of the examination. The General Law does not require that the notice be in writing nor does it specify to whom it must be given. However, it should logically be given to the person(s) to be examined and, since the chairmen of each town committee are entitled to be present and to be heard, either personally or by legal counsel, each chairman should also be given notice.

5. Officers to be Appointed [54:12]

In all towns, the selectmen must appoint the following officers for each voting place or precinct: (see special provisions a., b., and c. below)

1 warden and 1 deputy warden
1 clerk and 1 deputy clerk
2 inspectors and 2 deputy inspectors

In addition, the selectmen may appoint two inspectors and deputy inspectors for each voting place or precinct. In this manual, such inspectors will be called "additional inspectors" and "additional deputy inspectors." If your town votes by paper ballot or punch cards or if you have had some difficulty in properly staffing the polls, particularly at a November election, you will need to have the selectmen appoint additional inspectors and deputies. (see I. HIRING ELECTION OFFICERS - ELECTION DAY SCHEDULE on page 20)

Note: The term deputy in 54:12 denotes a replacement for a principal officer unavailable to work, not an assistant.

The selectmen may also appoint as many tellers as are deemed necessary to count the ballots cast.

The following special provisions also apply to the appointment of election officers:

a. towns with 5 precincts or less in same building [54:24]

In towns of 5 precincts or less all of which are housed in the same building, the selectmen may vote to appoint only one warden to supervise all the precincts and may determine the number of inspectors to be appointed. A clerk must be appointed for each precinct and the party balance must be maintained. Usually a deputy for each election officer is also appointed.

b. towns with voting machines [54:36]

In towns having voting machines, the number of election officers at a polling place may be less than six, at the discretion of the appointing authority, provided the party balance is maintained and the other requirements of 54:13 are met. (see 9. below) However, six election officers will probably be needed for each polling place, particularly at a November election.

c. towns with electronic voting systems [54:33H]

In towns with electronic voting systems, the selectmen must appoint a warden, deputy warden, clerk, deputy clerk, and as many inspectors and deputy inspectors as the town clerk deems necessary for each tabulation center designated under 54:33F. If the precinct polling place is also the tabulation center, the regular precinct election officers also act as tabulation center election officers.

If a central tabulation center is designated, election officers would be appointed for the center in addition to those who serve in the polling places. However, in some towns, some of the precinct election officers also act as the tabulation center election officers and in this case, they should be formally appointed by the selectmen to both positions.

6. Appointment Deadline [54:12]

The selectmen must appoint election officers not earlier than July 15th and not later than August 15th each year. If the selectmen fail to make the appointments by August 15th, the board of registrars must make them as soon as possible. If you do not receive a notice of election officer appointments by about August 10th, contact the selectmen's office to ask when appointments will be made.

7. Term of Office [54:13]

An election officer is appointed for a term of one year starting on September 1st and until his successor is qualified by taking the required oath of office (see E. on page 12) or until he is removed (see 8. below). If an election officer is appointed to fill a vacancy occurring sometime during the year, he serves until the end of that term.

Exception: The election officers appointed to count and tabulate votes (tellers) shall serve at such primaries or elections and at such times as shall be designated by the appointing authority. However, in many towns, tellers are appointed and serve for a one-year term the same as other election officers.

8. Removal of Election Officer [54:13,15]

a. written charges by the town clerk [54:13]

An election officer may be removed by the selectmen upon a written charge of incompetence or official misconduct made by the town clerk. If you believe that an election officer should be removed, it is suggested that you first discuss the problem with the election officer himself. He may voluntarily resign or ask not to be reappointed. You might also discuss the case with the town committee chairman who may decide not to submit the name for appointment in the future. If necessary, discuss the case with town counsel before transmitting a written charge to the selectmen since the election officer's civil rights may be involved.

If he is violating the law while on duty at the polls, however, he should be stopped immediately and removed if necessary. But he should not be prevented from voting.

b. written charges by 6 or more voters [54:13]

An election officer may also be removed by the selectmen upon a written charge of incompetence or official misconduct made by not less than six voters of the precinct in which the officer is appointed to act. If you receive questions from voters about bringing charges against an election officer, it is suggested that you listen to the voters' complaints and, if necessary, investigate the matter. You may be able to resolve the problem. However, if the voters persist, you might provide a copy of 54:13 or sections of the General Laws covering election officer duties and recommend that the voters consult a lawyer.

In either case under a. or b. above, the selectmen must hold a hearing prior to removing the officer.

c. election officer becomes candidate [54:15]

The selectmen must remove an election officer if he becomes a candidate and does not resign. (see D.1. on page 7)

9. Party Representation [54:13]

The party representation among election officers must comply with the following requirements of 54:13:

- the election officers appointed must equally represent the parties;

  Exception: Not more than two election officers not representing either of the parties may be appointed provided the equal representation of the parties is not disturbed.

- the principal officer must be enrolled in the same party as his deputy. For example, the warden and the deputy warden must both be either Democrats or Republicans;

- the warden and the clerk of each precinct must be enrolled in different parties. For example, if the warden and deputy warden are Democrats, the clerk and deputy clerk must be Republicans;

- not more than one half of the election officers may represent the same political party.

In some towns having precincts, the wardens are appointed so that there is an equal number from each party. For example, the wardens appointed for precincts 1 and 2 are Democrats and the wardens appointed for precincts 3 and 4 are Republicans. While such a division is not required, it avoids complaints that one party is favored over another in election officer appointments.

Some towns have considerable difficulty in obtaining enough enrolled party members to serve as election officers. It is suggested that in this case, you assist the town committee chairmen by suggesting names of possible election officers. Some town clerks look through the street list, contact likely candidates to determine if they are willing to serve and then forward the names to the chairmen. Others contact the various organizations in town, such as the service clubs, League of Women Voters, veterans or senior citizens groups, etc. to recruit election officers. Sometimes ads are placed in the newspapers or public service announcements are made on the local radio station to inform voters of the need. It is suggested that you inform each person or group contacted of the qualifications, restrictions and duties of election officers.

C. QUALIFICATIONS

No person shall be appointed as an election officer until he is found qualified to act. [54:12] The qualifications are as follows:

1. Registered Voter [54:12]

An election officer must be a registered voter in the town. The General Laws do not require that he be registered in the precinct in which he is appointed to serve. However, in some towns, an effort is made to appoint election officers to serve in the precinct in which they live since they are more likely to be personally acquainted with the voters of that precinct. This can be helpful on election day.

2. Enrolled Party Member [54:13]

An election officer must be an enrolled party member at the time he is appointed. (see exception under B. 9. on page 5)

The General Laws do not require that an individual be enrolled for any specified period prior to appointment.

An election officer should remain enrolled in the party during his term of office. If at some time during the year, he files a party change card cancelling his party enrollment, the party balance among election officers will be disturbed and the selectmen should appoint an enrolled party member to restore the party balance. But, if there are no elections to be held during the remainder of his term, a replacement does not need to be appointed until the term expires. It is suggested that you notify the election officer of the effect of his actions since he may not be aware of it and may prefer to re-enroll in the party to remain eligible to serve. If he does not, notify the selectmen and the appropriate town committee chairman.

3. Other

The selectmen may examine prospective election officers (see B. 4. on page 2). They may judge a person's competence and effectiveness and are not limited to considering only the qualifications specified in the General Laws outlined in 1. and 2. above. If the selectmen believe a person would not be a good election officer, they are not required to appoint him.

D. RESTRICTIONS ON ELECTION OFFICERS

1. May not be a Candidate [53:31; 54:15]

No person shall be eligible to serve as an election officer in a precinct where he is a candidate in a state or town election [54:15], or in a primary. (see 53:24) He may, however, serve as an election officer if he is a candidate in a precinct other than the one in which he serves. For example, a candidate for town meeting member in precinct 1 may serve as an election officer in precinct 3.

If an election officer becomes a candidate and does not resign immediately, the selectmen shall remove him from office as soon as they are aware of his candidacy. If a candidate at a state election, he must be removed before November 1st.

Exception: An election officer is not disqualified by being a candidate at a presidential primary for town committee or delegate to a convention. [53:31]

Note: Candidates for delegate to national conventions have not been elected at presidential primaries since 1975. (see 1975:600) They are now selected by a system adopted by the state committees of each political party. [53:70B] Delegates to state conventions are also chosen by a system adopted by the state committees. [52:10]

2. May Not Hold Certain Other Offices

   a. town moderator or selectman [54:15]

   Neither the town moderator nor a member of the board of selectmen shall be eligible to act as an election officer in a state or presidential primary or a state election.

   b. board of registrars [51:25]

   A member of the board of registrars is prohibited from holding a town office which is elected or directly appointed by the selectmen or the town manager. Therefore, an individual could not be a member of the board of registrars and an election officer at the same time unless the town has a special act which provides for the appointment of election officers by someone other than the selectmen or town manager.

   In addition, during a recount, the board of registrars reviews the actions of the election officers. A registrar reviewing his own actions, taken in another capacity in the same election, would be a questionable practice.

   Note: If your town votes by precincts at an annual town election, the town clerk and the board of registrars canvass the returns from the several precincts and announce the results. [39:21]

3. May Not Give Out Certain Information on Election Day [54:68; Regs. 51.03(25), 52.03(21), 54.03(25)]

   No election officer shall, before the public declaration of the vote, make any statement of the following:

   - the number of ballots cast,
   - the number of votes given for any person,
   - the name of any person who has voted,
   - the name of any person whose name has not been checked,
   - any other fact tending to show the state of the polls.

   However, there are some exceptions as follows:

- upon request, an election officer shall state the figures on the ballot box register, or on the voting machine public counters

- after the polls close, certain statements are expressly permitted or required by 54:105 and 105A, such as the number of names checked on the voting list, the number of ballots taken out of the ballot box, the number of unused ballots, etc.

The penalty for giving out information prohibited by 54:68 is a fine of not more than $500.00 or imprisonment for not more than 6 months.

4. May Not Attempt to Influence Voters [54:33C, Regs. 51.03(8)(d); 52.03(11)(d); 54.03(9)(d)]

While instructing or assisting a voter on election day, an election officer shall not in any manner request or seek to persuade or influence any voter to vote for or against any person or political party or ballot question.

5. Public Support of Contested Candidates

Many election officers refrain from supporting or opposing candidates or issues in any election. They believe that since they work at the polls on election day and must inspire the confidence of the voters in their impartiality, they should not become involved in any political activity. Other election officers believe that since they do not waive their rights as citizens to engage in political activity, they should refrain from supporting or opposing candidates and issues only while they are on duty at the polls on election day.

Some town clerks request that election officers choose between publicly supporting a contested candidate, or a candidate of a party different from the one in which they are enrolled, and working as an election officer in the same election. Others request that an election officer not work at an election in which his or her spouse or other close relative is a candidate. This practice is usually established because of numerous complaints received from voters in this regard and for the reasons outlined below.

While the General Laws do not specifically prohibit election officers from publicly supporting candidates, and of course, election officers do not give up their rights as citizens in this regard, there are provisions of the law, as well as good election practice, which indicate that discretion should be used by election officers.

Section 23 of Chapter 268A (the Conflict of Interest Law) contains standards of conduct for all state, county and municipal employees. Election officers are usually classified in towns as special municipal employees. As such, they must comply with section 23 which states in part that no employee shall

> by his conduct give reasonable basis for the impression that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is unduly affected by the kinship, rank, position or influence of any party or person.

While the vast majority of, if not all, election officers are fair and impartial in the performance of their duties regardless of their personal preference for candidates, the public perception of their performance is sometimes quite different if they have publicly supported contested candidates.

In addition, refraining from political activity protects election officers. Should an election result be taken to court, honest mistakes which might have been made by election officers cannot erroneously be construed as deliberate attempts to influence those results. That election officers were not active in candidates' campaigns was one basis upon which they were exonerated from any wrong doing in an actual election inquest conducted some years ago.

Guidelines for election officers may be as follows:

a. November elections (and partisan town elections)

Election officers may publicly support candidates of their own party. They are appointed as enrolled members of the party, the public expects them to support their own party, and the party balance required by the general laws in election officer assignment adequately safeguards the integrity of the election. However, election officers are asked not to publicly support candidates of a different party from their own. For example, a Democratic election officer should not publicly support a Republican or Independent candidate and work at that election.

b. primaries

Since contested candidates in a primary race for a particular office would necessarily be of the same party, election officers are asked not to publicly support one of the contested candidates and work at that primary. It would be impossible, under the law, to establish a team of election officers equally representing the interests of both contested candidates.

c. non-partisan town elections

The requirement of pairing a Democrat and a Republican as a team does not provide the same safeguards as it does in a November election. Nor would it be possible to establish a team of election officers equally representing the interests of contested candidates. Election officers are asked to choose between publicly supporting contested candidates in town elections and working at the polls, but not do both at the same election.

d. definition of public support

Public support may be defined as any of the following:

- signing an advertisement on behalf of a candidate
- acting as campaign chairman, treasurer, coordinator or other officer in the candidate's campaign organization
- hosting a candidate's sherry or coffee party
- telephoning voters to lobby or ask support for a candidate
- any other activity which leads the public to believe that the election officer is active in a candidate's campaign.

Many town clerks make no requests of election officers with respect to political activity, except while they are on duty at the polls, because the public in their towns has not expressed concern about such activity and generally believes that election officers are not unduly influenced by the candidates they may support, or there are too few election officers to allow some of them not to work at an election, or even though complaints from the public are received, the clerks do not want to restrict election officers' political activity in any way as long as they comply with the specific requirements of the General Laws while on duty.

Whether or not you request that election officers limit their political activity outside of the polls if they are to work on election day is a matter of your own judgment and depends upon the particular circumstances and needs of your town. If you make such a request, it is suggested that you inform both of the town committee chairmen and all of the election officers well before the pre-election campaign activity starts and that you make the same request of all election officers. In your information, be careful not to give the impression that you are attempting to remove an election officer from his position, or that you prefer he not be reappointed to another term, or that you question his integrity in any way. You are simply not hiring him for a particular election. If election officers understand your reasons, most, if not all, will voluntarily refrain from public support of contested candidates. However, you will probably need to have the maximum number of election officers appointed to give you sufficient flexibility to staff the polls properly.

E. OATHS (See Town Clerks Manual, Volume II, Chapter 2, II. OATHS)

1. Oath of Office [54:20]

Before entering upon his duties on an election day, each election officer must be sworn to the faithful performance of his duties. He may be sworn before the town clerk or other official qualified to administer oaths, such as a notary public or a justice of the peace. He may also be sworn before the warden or election clerk at the polls. The following oath may be used:

> Do you solemnly swear that you will faithfully and impartially discharge and perform all the duties incumbent upon you as an election officer of the town of [name] in accordance with the laws of the Commonwealth of Massachusetts?

The appointment and oath of each election officer must be recorded in your office. This record should be kept permanently. [state retention schedule #2.61, #2.93]

In some towns, the board of selectmen includes in the notice of appointment sent to each election officer the information that he must be sworn into office and suggests that he contact the town clerk for this purpose. In other towns, the town clerk notifies each election officer of the oath requirement either shortly after the appointments are made or sometime before the next election to be held. Some town clerks swear in the warden and he in turn swears in the other election officers who work in the precinct. In any event, you should be certain that each election officer has taken the oath before he begins work on election day.

Each election officer will need to take the oath of office each year after appointment even though he has been reappointed to a second or subsequent term and has previously taken the oath.

2. Loyalty Oath [264:14; 1986:30]

Prior to July 23, 1986, the effective date of 1986:30, election officers, as town employees, were required to take and subscribe, under the penalties of perjury, to the following oath or affirmation:

> I do solemnly swear (or affirm) that I will uphold and defend the Constitution of the United States of America and the Constitution of the Commonwealth of Massachusetts and that I will oppose the overthrow of the government of the United States of America or of this Commonwealth by force, violence or by any illegal or unconstitutional method.
>
> Signed under the pains and penalties of perjury.
>
> ______________________________
> Signature of election officer
>
> Date__________________________

This oath was not required to be administered verbally and in person [268:1A], but simply signed by the election officer and filed with the town clerk only once regardless of the number of times the election officer was reappointed. The oaths currently on file in your office should be kept until after the election officers who signed them resign, die, or are not reappointed. [state retention schedule #2.92A]

Election officers are no longer required to sign and file a loyalty oath since 264:14 was repealed by Chapter 30 of the Acts of 1986.

F. VACANCIES

1. Before an Election [54:14,15]

Under the following circumstances, the selectmen shall appoint an election officer to fill a vacancy:

- if there is a vacancy in the number of election officers [54:14],
- if an election officer declines his appointment and notifies the town clerk within 10 days after the date of his appointment [54:14],

- if an election officer becomes a candidate and does not resign. [54:15] (see D. 1. on page 7)

Any appointment made to fill a vacancy must maintain the equal representation of the two political parties. [54:14]

If the vacancy occurs shortly before an election and you have a sufficient number of election officers to staff the polls properly, you may not need to have the vacancy filled. In addition, there may be too little time to have someone formally appointed and trained.

If a vacancy occurs in the position of warden or election clerk, you may recommend to the selectmen that they appoint one of the experienced inspectors to fill this position and appoint a new person to fill the inspector's position.

In some towns, the selectmen contact the appropriate town committee chairman or the chairman and the town clerk, for a recommendation whenever a vacancy in election officers occurs. If you are asked for a recommendation, it is suggested that you contact the appropriate town committee chairman to discuss it prior to forwarding it to the selectmen. While this procedure is not required by the General Laws, it is helpful in maintaining good relations with the town committee chairmen upon whom you depend for competent election officers.

2. On Election Day

a. voters at polls fill vacancy [54:16; Regs. 51.02(2), 52.02(2), 54.02(2)]

If an election officer is absent at the opening of the polls or subsequently on the day of the election, or if the office is vacant at that time, the deputy of such officer shall act in his place. However, if the officer and his deputy are both absent, the voters of the precinct shall nominate an election officer and fill the vacancy by hand vote. The officer appointed shall act during the remainder of the election. [54:16]

The procedure appearing in 54:16 is usually impractical on an election day and the Regulations provide that if an election officer assigned to the polls fails to appear or leaves, the town clerk shall be notified. A replacement shall be sent, or the corresponding deputy election officer shall be designated as the replacement.

b. town clerk fills vacancy [54:16A]

In a town which accepts 54:16A, if an election officer is absent at the opening of the polls, the town clerk may appoint a person to fill the vacancy. The person appointed must be enrolled in the same political party as the absent officer if any competent person enrolled in such party is present and willing to serve. He would serve only during that election.

There is seldom an election at which all of the formally appointed election officers are willing and able to work. Having your town accept 54:16A will give you some flexibility often essential for the proper operation of the election, particularly if only the minimum number of election officers has been appointed.

It is at best difficult, and sometimes impossible, to fill a vacancy at the last minute before the polls open or during an election day. It is suggested that, well before the election, you establish a list of enrolled members of each party willing to serve as election officers on short notice. In this manual, individuals on such a list will be called "emergency inspectors."

It is also suggested that you ask the two town committee chairmen to recommend individuals to serve in emergencies, or you submit your list of names to the chairmen for their approval. While not required by law, this procedure will help to establish and maintain good relations with the two town committee chairmen. It will also minimize complaints from other election officers and from voters. If you wish, you may ask the selectmen to appoint these individuals as "emergency inspectors" although appointment by the selectmen is not needed.

G. DUTIES

All election officers regardless of their title, perform their duties under the supervision of the town clerk. [54:71A] You are empowered to make regulations consistent with law, relative to the use of ballot boxes and seals, counting and other apparatus, receiving ballots and the counting and returning of votes. [50:7] Election officers must follow your regulations and lawful instructions.

In the absence of the election officer, his deputy assumes all of his duties and responsibilities. However, if the officer is present on election day, the deputy shall not act in his official capacity or be admitted to the space reserved for election officers while the polls are open or during the counting of the votes. [54:16] For example, between the time the polls open and the results are announced, the warden and the deputy warden cannot be on duty at the same time. Nor can they both be within the guard rails, in the counting area, or behind the voting machines or voting booths. However, before the polls open and after the vote is announced, the deputy warden may help the warden with necessary preliminary work or with packing election material for return to the town clerk.

The duties of election officers required by the General Laws, the Regulations 950 CMR 51.00-54.00 and good election practice, are outlined in detail under ELECTION DAY in Volume 4 of this series. The following is a brief description of duties by title.

1. Warden - Deputy Warden

The warden is the presiding officer at the polling place in which he serves. [50:1]

The warden assigns specific duties to the inspectors and insures that all election officers perform their duties in accordance with law. [54:71] He insures that the work required to prepare the polling place for opening is properly completed and that the polls open on time. [53:36; 54:33E, 35,65,66]

During the time the polls are open, he oversees the entire conduct of the election at the polling place, insuring that voters are properly checked in, assisted or instructed [54:33B, 33E,76,79], and handles problems or questions which may arise, including voters whose names have been omitted from the voting list [51:59], challenged voters [54:35B,85] and escrow voters. [51:59A] With the assistance of a police officer, if necessary, he maintains order and enforces the law. [54:71]

He insures that the polls are properly closed on time and supervises counting the ballots, announcing the result, and sealing and returning election materials and equipment to the town clerk. [54:105,105A,107]

If the warden leaves the polls, and there is no deputy, he may designate a qualified election officer to be in charge. [Regs. 51.01(3), 52.01(3), 54.01(3)] Usually, he would designate the election clerk or an experienced inspector.

2. Election Clerk - Deputy Election Clerk

The election clerk is responsible for making a written record of the proceedings of the election. His record should include enough information to show that all the procedural requirements of the law have been met, such as the examination of the ballot box [54:66], voting machines [54:35] or special marking units [54:33E] and that the polls opened and closed on time. He records the number of ballots received, the numbers on voting machines, the number on the ballot box register before the polls open and at the close, the number of spoiled ballots, the number of names checked on the voting lists, the total votes, etc. [54:105,105A]

During election day, he records the name and address of each challenged voter [54:85], each escrow voter [51:59A], any problems or questions which arose and how these were handled, voting machine breakdown and repair, and any unusual happenings.

While not specifically required by law, the election clerk often works with the warden in examining the ballot box or voting machines, processing the absentee ballots, etc.

3. Inspectors

Inspectors may perform serveral duties such as checking in voters and handing out ballots or voters authority certificates [54:17], checking out voters and operating the ballot box [54:67], assisting or instructing voters, etc.

Inspectors work in teams, one Democrat and one Republican, to maintain the party balance on election day.

Inspectors may also count ballots after the polls close unless tellers have been specifically appointed for this duty. [54:12]

4. Tellers

If appointed under 54:12, a teller's only duty is to count the ballots after the polls close. He does not act in an official capacity during the time the polls are open.

5. Penalties [56:12,22]

An officer of a primary who refuses or fails to perform any duty or obligation imposed by law shall be punished by a fine of not more than $500.00 or by imprisonment for not more than 6 months. [56:12]

An election officer who willfully fails to perform his duty, or who willfully performs it contrary to law, shall be punished by a fine of not less than $5.00 nor more than $1,000.00 or by imprisonment for not more than one year, or both. [56:22]

H. COMPENSATION [53:29, 54:22]

Election officers shall receive such compensation as the selectmen may determine. No deputy officer shall receive compensation except for attendance at the opening of the polls or for services in the place of an absent officer. [54:22] Election officers designated by the town clerk to serve during part of the day at a primary, shall receive such part of a full day's compensation of election officers as the selectmen determine. [53:29]

1. Salary

In some towns, the selectmen determine the salary for election officers each year. In other towns, election officers are included in the salary and classification plan under the town's personnel bylaw. Although not required by the General Laws, the selectmen and/or personnel board may solicit and accept the recommendations of the town clerk with respect to election officers' salary.

The funds to pay election officers may appear in a separate line item in the annual town budget or be included under a general salary line item or under a line item covering all election expenses. Since the town clerk is responsible for hiring election officers and conducting the elections, he often prepares and submits the necessary budget to the finance committee. However, in some towns, the selectmen do this work.

Election officers may be paid at an hourly rate or receive a specified amount for the day.

2. Fringe Benefits

The fringe benefits provided to election officers vary considerably from town to town as a matter of custom and tradition. Since election officers are seasonal or part-time employees, they are not usually entitled to regular employee fringe benefits such as vacation and insurance, nor are they entitled to overtime pay for working more than 8 hours on election day.

In some towns, fringe benefits consist of coffee and donuts or other snacks provided at town expense for election officers on election day. Lunches and dinners are also sometimes provided at town expense and are brought to the polls. In other towns, election officers bring their own snacks and meals to the polls or they are given time off and leave the polls to eat lunch and dinner elsewhere. If the polling place is a school, election officers sometimes take advantage of the hot lunch program provided for the students.

Most town clerks require that election officers drink beverages or eat in an area at the polls not visible to the public and voters coming in to vote. Election officers drinking coffee or eating at a check-in table gives a poor appearance and there is a risk of having a beverage spilled on ballots or voters authority certificates and on the voting list.

How you handle coffee, snacks and meals for your election officers will depend primarily upon the custom in your town, your budget and what your election officers expect. Of course, you may change past practice, but it is suggested that you notify election officers prior to the election so they will be prepared to obtain their own snacks or meals, if necessary. If you wish to provide snacks or meals at town expense when this has not been the customary practice in the past, it is suggested that you discuss it with the town accountant or finance committee first.

Providing election officers with sufficient refreshment or time off on election day is essential if they are to keep alert and avoid making mistakes or becoming impatient with voters.

3. Paying Election Officers

In most towns, election officers expect to be paid as soon as possible after each election. If there is more than a two or three week delay, you may receive a number of calls from them.

a. vouchers

Before preparing a voucher for the election officers' pay, it is suggested that you contact your town accountant to determine whether a payroll or an expense voucher should be submitted. If a payroll voucher is needed, your town accountant will probably require that each election officer complete and sign a tax withholding form giving his social security number and the number of his dependents. The voucher will probably be processed along with the payroll vouchers for regular town employees. The town may withhold federal and state income taxes from election officers' pay.

If an expense voucher can be used, the social security numbers and number of dependents will not be needed and the voucher will probably be processed along with other expense vouchers.

Note: Some election officers request that they not be paid for working at an election. In this case, you may include the name on the voucher entering a note "requests no pay" rather than an amount. Or, you may simply omit the name from the voucher.

b. income tax forms

(1) W-2 forms

If federal and state income taxes have been withheld, the town will provide each election officer with a W-2 form to use with his income tax returns.

(2) 1099 form

If no taxes were withheld, it is suggested that you contact your town treasurer to determine whether or not you should prepare a 1099 form for each election officer. Such a form is required only if, during the calendar year, the employee is paid more than a certain amount determined by the IRS. If needed, your town treasurer will probably be able to obtain a supply of the forms for you or tell you where to obtain them.

(3) other

If no W-2 or 1099 form is issued, many election officers request that you let them know how much they have been paid during the calendar year so they can report this amount on their income tax returns. This information, available from your copy of the election officer pay vouchers, can be given over the telephone or a simple memo can be sent.

Since many election officers request this information shortly after the first of the year when the office is very busy with the annual town census, some town clerks keep a card file in which the date and amount paid is recorded for each election officer shortly after each election. If election officers are hired to check in voters at town meeting, the date and amount paid for this work is also entered in the card.

SAMPLE CARD

ADAMS, MARY A. - WARDEN, PCT. 1 - $5.00/HOUR

1984

Pres. Prim: did not work		
ATE 3/26:	12 hrs -	$60.00
ATM 4/9, 10, 11, 17, 18:	15 hrs -	75.00
St. Prim. 9/18:	10 hrs -	50.00
Pres. El. 11/8:	14 hrs -	70.00
1984 TOTAL:		$255.00

I. HIRING ELECTION OFFICERS - ELECTION DAY SCHEDULE

While election officers are appointed by the selectmen from lists submitted by the town committee chairmen, they work on election day under the town clerk's supervision [54:71A] and the town clerk is responsibile for hiring and scheduling their work.

You must be sure that each polling place has sufficient staff to run the election and that the balance between Democratic and Republican election officers is maintained, particularly at primaries. However, you are not required to hire every appointed election officer if they are not all needed for a particular election. And, you may hire individuals not formally appointed as election officers if they are needed because a sufficient number of appointed officers are not available. The election cannot be postponed for any reason, including the lack of appointed election officers.

You should have on duty at each election at least the following: a warden, an election clerk and two inspectors, one Democrat and one Republican, in each polling place. If your town votes on paper ballots or punch cards, you will need to have two election officers at each check-in and each check-out table. In some towns, the election clerk generally works at one of these tables.

Exception: If you have 5 or fewer precincts in the same building, you may have only one warden to supervise all precincts. (see B. 5. a. on page 3)

Note: Additional people, not formally appointed as election officers, may be assigned to certain work at elections or primaries such as, assisting voters to complete the party change cards at primaries, demonstrating the punch card marking unit or model voting machine, directing voters to the correct line or, at a November election, handing out the Information for Voters pamphlet to waiting voters. You may be able to find volunteers for some of this work by contacting civic organizations.

1. Hiring Election Officers

a. November elections

Because the voter turnout at a November election is much larger than at other elections, all appointed election officers are usually needed to staff each polling place. You will probably need to hire other individuals to fill in for unavailable officers or deputy officers.

b. town elections

At a town election, you may be able to run the election with the minimum number of election officers. However, if you expect an unusually large voter turnout, you may need more than the minimum.

If your town votes by precincts at November elections but not at town elections because it has not accepted 39:20, election officers may be hired in the same way as they are for grouped precincts in primaries. (see c. (2) below)

c. primaries [53:29,30]

53:29 and 53:30 give the town clerk some flexibility in hiring election officers to serve at primaries.

(1) voting by precincts

Under 53:29, the town clerk may designate two inspectors and two deputy inspectors representing the two political parties and from the whole body of election officers he may designate officers equally representing the two leading political parties to serve as tellers in any precinct during part of the day for the purpose of receiving ballots, checking names, or canvassing and counting votes.

Note: The term "teller" as used in 53:29 includes inspectors who work during the day as well as tellers who work only after the polls close to count the votes.

You will need a warden and clerk for each precinct unless the exception under I. HIRING ELECTION OFFICERS on page 20 applies. Usually, you would hire the regularly appointed precinct warden and clerk, unless they are not available to serve on election day. If the deputies of these officers are also not available to serve, you may hire other election officers to serve in these capacities. If necessary, you may staff a particular precinct using any of the appointed election officers, moving those not needed in one precinct to another which is short of election officers that day.

(2) grouped precincts [53:30]

In towns where voting is by precincts at elections but by town (grouped precincts) at primaries, the town clerk shall designate which of the election officers shall serve as primary officers. (see 53:28, grouped precincts at town primaries; 53:42, grouped precincts at state primaries; 53:70C, grouped precincts at presidential primaries)

In this case, you will probably have more appointed election officers than you will need for the primary and you may decide which of the officers will work, the total number to be determined by your own judgment of the need. You may designate one of the precinct wardens and one of the precinct clerks to serve as the warden and clerk for the primary. They do not need to have been appointed to the same precinct, but you should be certain that one of these officers is a Democrat and the other a Republican. Their appointed deputies would ordinarily serve in their absence. These officers would have the necessary experience. However, an experienced inspector may be hired for this work, if necessary.

In paper ballot and punch card towns, two election officers for each check-in and for each check-out table will be needed. These people may be any of the regularly appointed precinct officers or, if not available, their deputies. These officers may be precinct wardens, clerks or inspectors all of whom will act as inspectors at the primary. If necessary, you may hire emergency inspectors.

In voting machine towns, two election officers for each check-in table and enough officers to supervise the machines will be needed. Usually, one person can supervise 3 - 4 voting machines, or more if the voter turnout is light. In some towns, the precinct wardens and clerks are hired to help open the voting machines in the morning and close them at night since they have had experience in this work. However, during the time the polls are open, these people would act as inspectors.

You may have to hire more than the number of officers actually needed to run the election in order to maintain the party balance required by the General Laws.

2. Election Day Schedule

The election day schedule for election officers varies from town to town, and in a given town, may vary from election to election.

Regardless of the specific hours each officer is to work, you should have at least one Democratic and one Republican officer at the polls before the time they are to open to do the necessary preliminary work such as examining the ballot box, posting instruction and penalty cards and specimen ballots, arranging the check-in and check-out tables, counting the ballots received, examining the key envelopes if voting machines are used [54:35], examining the marking units if punch cards are used [54:33E], etc. (see ELECTION DAY, II. D. PRELIMINARY WORK AT POLLS in Volume 4 of this series)

In many towns, the warden and the election clerk are expected to arrive first and usually take care of the preliminary work together. However, you may require that all election officers arrive at the same time and in this case, the warden would determine which officers perform each duty.

The time of arrival at the polls is determined by the town clerk. [Regs. 51.02(1)-54.02(1)] Usually, election officers are required to arrive at least one half hour before the polls are to open. In voting machine towns, the time of arrival for those who are to open the machines is often earlier, depending upon the number of machines in the polling place.

Note: Where voting machines are used, the polling places must be open at least 1/2 hour before voting begins to allow candidates to examine the proof sheets, or the candidate counters if printer packs are not used. [54:35]

Set the hour of arrival early enough to be certain that all the necessary work can be completed allowing some leeway in case problems develop such as delivery of the ballots to the wrong precinct, problems with the ballot box or voting machines, etc. It is essential that the polls open at the time stated in the warrant for the election.

In establishing the schedule each election officer is to work, keep in mind that the deputy of the officer should not be on duty or in the area reserved for election officers at the same time as the principal officer between the opening of the polls and the announcement of the vote. [54:16] However, if you have a new deputy who needs training, he may observe during these hours and may help with the work before the polls open and after the vote is announced.

Some typical election day schedules are as follows:

a. principal officers work all day

The warden, election clerk and the inspectors work all day from about one half hour before the polls open until all election material has been sealed and returned to the town clerk. The warden may leave the polls for lunch and dinner, designating the election clerk or an experienced inspector to assume his duties until his return. [Regs. 51.01(3)-54.01(3)] Lunches and dinners for other election officers are arranged on a staggered basis so that the polls are adequately staffed at all times. The deputy officers work at the polls only if the principal officers are not available on election day.

If tellers have been appointed, they arrive shortly after the polls close to count votes and the inspectors leave the polls when they have finished counting the number of names marked in the voting.

This type of schedule requires that election officers have considerable stamina and ability to work long hours without fatigue, particularly at a November election.

b. election officers divided into two shifts

The principal officers and their deputies work at each election and are divided into two shifts. The first shift starts work before the polls open and stays on duty until some time in the afternoon. The second shift then takes over and works until all election material is packed up and returned to the town clerk. Each shift may include some principal officers and some deputies, but the principal and his own deputy do not work during the same shift, unless designated to work as primary officers by the town clerk under 53:29 or 53:30. (see I. 1. c. on page 22)

This type of schedule is less physically demanding and provides a fresh team of election officers for duty in the afternoon and evening.

c. principal election officer and his deputy divide election day

Election day is divided between the principal officer and his deputy as shown in the sample schedule on page 37.

Such a schedule allows each election officer sufficient time off during the day for meals and a rest while keeping the polls fully staffed at all times.

In some towns, the principal officer and his deputy are asked to decide for themselves the hours each is to work and to inform the town clerk. In other towns, the town clerk determines the hours each is to work, allowing some adjustment by the election officers if necessary. In this case, the town clerk can be sure that the more experienced principal officer is on duty when the polls are likely to be the busiest and that there are enough experienced election officers on duty at all times.

3. Notice to Election Officers

Some election officers generally expect to work at each election and assume the responsibility for contacting the town clerk to arrange their schedules. However, since it is essential that the town clerk know well before the election whether or not a sufficient number of election officers will be available, many clerks regularly contact the election officers either by telephone or by mail to determine who is available and what hours they can work. (see sample notice on page 38)

If a notice is sent by mail, you may enclose a self-addressed stamped card on which the election officers can give you the information needed to set up the election day schedule. (see sample return card on page 39)

4. Distributing a Copy of Election Day Schedule

In some towns, a copy of the election day schedule is sent to each election officer or the precinct schedule is sent to each election officer who is to work in that precinct. A request may be included on the schedule that an election officer notify the town clerk immediately if he finds he will be unable to work on election day. In this case, it is suggested that you include the telephone number at which you and/or your assistant may be reached over the weekend immediately preceding the election, during the evening before the election, and early election morning. Losing a scheduled election officer during these times is not uncommon and you need as much notice as possible to fill the vacancy.

You might also include on the schedule, the request that each officer who has not yet been sworn in come to your office to be sworn before election day.

Even though you may not send a copy of the schedule to each election officer, it should be provided to the warden in each precinct. He will need to know who is supposed to work and the hours scheduled for each person.

It is helpful if you include each election officer's telephone number in case a scheduled individual does not show up at the polls at the appropriate time and either you or the warden must telephone him. Election officers should understand that it is essential for them to arrive at the polls at the hour scheduled unless prevented by some emergency and in that case, it is essential that they call you.

J. TRAINING

It is essential that election officers are thoroughly instructed in their duties. Regardless of how knowledgeable you are with respect to election laws and good election practice, an election officer's mistakes can lead to unnecessary inconvenience to and complaints from voters. If the mistake is a serious one, a voter may be disenfranchised and a court case may result. It is your responsibility, as the official in charge of elections in your town, to be certain that all election officers know their jobs and follow your instructions.

You may use the Election Officer Handbooks prepared and furnished by the Secretary of State as a basis on which to conduct your training sessions, or you may develop your own training guides specifically related to your polling places.

In many towns, the town clerk requires all election officers to attend regular training sessions and they are usually paid for attendance at such sessions. If you have a large number of election officers, you would probably need to schedule more than one training session. In this case, it is suggested that you hold some sessions during the day and some in the evening to allow all of the election officers to attend.

In some towns, a training session is held prior to each election to go over problems which may have occurred at the previous election and methods for avoiding such problems, to review procedures in general and to bring the election officers up to date on any changes in procedures.

In other towns, the training sessions are conducted only when problems have occurred or when amendments to the General Laws require changes in procedures. Some town clerks conduct training sessions only for wardens or wardens and clerks or only for new election officers.

If most of your election officers have had several years of experience and have regularly done their jobs well, you may be able to inform them of changes in procedure by sending a memo to the warden or to all election officers rather than calling them together for a training session.

If you do not have precincts or you have grouped precincts, giving a brief review of procedures prior to opening the polls may be sufficient.

Examples: At primaries:

- remind the election officers that unenrolled voters must choose either a Democratic or a Republican ballot and the party initial must be entered on the voting list next to the voter's name; that if a voter questions the party enrollment shown next to his name on the voting list, the election officer should call the warden to the check-in table so that he can have the records checked.

At November elections:

- tell the election officers where the Information for Voters pamphlets are available; give suggestions for moving the lines of voters as quickly as possible.

At all elections:

- if write-in voting is expected, review the procedures for instructing voters how to write-in a name; remind election officers that any person with "AV" next to his name cannot vote without a certificate; review procedures if a voter's name cannot be found on the voting list.

Whether or not to hold a training session and how it is conducted is a matter for you to determine. If you have several precincts in your town, you will not be able to supervise the election personally in each one unless they are all located in the same building. You must be able to rely on the wardens to conduct the election in their own precincts in accordance with law, good election practice and your instructions, and to notify you of any unusual problems. It is particularly important that wardens know their duties and have a clear understanding of your instructions.

K. SUPERVISORS OF ELECTIONS [54:23]

Supervisors of elections are appointed by the governor and should not be confused with election officers appointed by the selectmen since their duties are quite different. However, if appointed, supervisors are paid by the town, the amount to be determined by the selectmen.

1. Appointment

Upon the written petition of 10 qualified voters of the town, presented at least 21 days before a state election, the governor may appoint two voters of the town to supervise the election. If a town has precincts, two such voters may be appointed for each precinct named in the petition.

2. Qualifications

The supervisors appointed must be registered voters of the town. They do not need to be voters in the precinct which they are to supervise, but one supervisor in each polling place must be enrolled as a Democrat and the other enrolled as a Republican.

The persons appointed cannot be any of the following:

- a signer of the petition, or
- a member of any political committee, or
- a candidate for any office.

The supervisors must be sworn to the faithful performance of their duties by the town clerk or by an officer qualified to administer oaths, such as a notary or justice of the peace.

3. Duties

Supervisors must remain where the ballot boxes are kept after the polls are open and until the ballots are sealed for transmission to the town clerk.

Supervisors witness the conduct of the election and the counting of votes. They may challenge voters. However, they must not make any statement tending to reveal the state of the polls before the public declaration of the vote.

They may affix their signatures, for the purpose of identification, to the copy of the record of votes cast and attach to the record a statement relative to the truth or fairness or the conduct of the election.

4. Penalties [54:23]

Any supervisor appointed under 54:23 who violates any provisions of section 23 or any person who prevents a supervisor from doing any acts authorized by section 23, or hinders or molests him or aids or abets preventing, hindering or molesting him shall be punished by a fine of not more than $500.00 or by imprisonment for not more than 6 months.

II. POLICE

The board or officer in charge of the police force in each town shall detail a sufficient number of police officers or constables for each polling place at every election. [54:72] The town clerk usually hires the police officers or constables and assigns their election day duties. While 54:72 permits either police officers or constables to work at the polling places during an election, the powers and duties are the same, and only the term police officer will be used in the following.

A. NUMBER REQUIRED

At least one police officer will be needed at each polling place. The town clerk usually determines how many officers are needed. The number may vary depending upon the specific duties assigned, the expected voter turnout and the particular needs of a given polling place.

B. HIRING POLICE OFFICERS

Contact the police chief or board in charge of the police department about 3 weeks prior to each election to arrange for the required number of police officers. If you are uncertain how many will be needed for a particular election or polling place, the chief can probably give you advice.

The chief will need to know the date of the election and the specific hours to be covered. In many towns, a sign-up sheet is placed on the police department bulletin board to allow officers to choose election duty. Usually, police officers work in two shifts on election day although the same officers sometimes work the entire day.

It is suggested that you contact the chief or the department again a few days before the election to be certain enough officers are scheduled to work and that they know the hours required.

C. DUTIES

The duties of police officers are covered under ELECTION DAY in Volume 4 of this series. The following is a brief description of their duties.

1. Specified in General Laws

The police officers are required to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the election laws. [54:72] They assist the warden by communicating and enforcing his orders and directions. [54:71]

A police officer should retain the ballot box keys during the time the polls are open. [54:66; Regs. 51.02(12), 52.04 (18), 54.02(14)] If the officers work in shifts on election day, be certain that the officer going off duty gives the keys to the one who will be on duty when the polls close.

If a person refuses to obey the warden's lawful commands, or interrupts or disturbs the proceedings, the warden may require that the police officer take him into custody and detain him until after the election. The detention shall not be so enforced as to prevent a voter from voting, however. [54:74]

The police officer shall cause an offender to be prosecuted when an election officer reports a violation of any provision of 54:65-85 and 104-137 inclusive. [54:75] The police officer shall arrest without a warrant any person detected in the act of violating any provisions of Chapters 50 to 56 inclusive. [56:57]

When the polls close, a police officer, or other qualified person, should be stationed at the end of the line of waiting voters to make certain no other persons get in line to vote. [54:70]

After the election, the ballot box and seal or keys, the ballots cast and unused and the voting lists must be delivered to the town clerk personally by the warden or transmitted by the police officer in attendance at the polling place. [54:66, 107]

In punch card towns having a central tabulating center, a police officer must accompany the locked metal box containing used ballots, etc. when it is transported from the polling place to the tabulation center. [54:105A]

2. Optional

In many towns, police officers perform duties other than those specified in the General Laws, depending upon the custom in the town and the town clerk's assignments. Those duties may include the following:

- delivering election materials to the polling place(s) on election morning and returning the sealed materials to the town clerk on election night (also see 1. above)

- traffic control, usually at a November election when voter turnout is heavy

- posting signs before the polls open

- announcing voters' names and addresses as they are checked in if enough police officers are available at the polls. In this case, the election officers at the check-in table should also announce the voters' names and addresses to comply with 53:37 and 54:76. In some towns, however, voters object to having police officers announce their names, or there is only one officer available at the polls and he performs other necessary duties.

Note: Police officers should not crank ballots into the ballot box since that is the specific duty of one of the election officers at the check-out table.

- directing voters to the correct waiting line

- handing out information for voters on ballot questions

- enforcing the 150 foot boundary for campaign material

Some town clerks prepare written instructions for police officers covering their election day duties. In this case, it is suggested that a copy of the instructions be provided to the police department well before election day so that the officers who are to work may become familiar with them. An additional copy should be included with the election material delivered to the polls on election day. (see sample instructions below)

SAMPLE INSTRUCTIONS FOR POLICE OFFICERS - ELECTION DAY DUTY

It is essential that you arrive at Town Hall promptly at 5:45 A.M. on election morning and pick up the following items:

- envelope containing keys
- fibreboard box
- metal ballot case [punch card towns]
- sealed carton containing [additional material needed]

Deliver these items to the warden at the polling place to which you have been assigned. You must go directly to the polls. It is essential that the election material be promptly and safely delivered.

BEFORE THE POLLS OPEN

- assist warden in placing the temporary ramp at the entrance door
- report to the check-in table, to the entrance door, or to the parking lot [driveway,etc.] as directed by the warden.
- if the warden gives you the ballot box keys retain them until you go off duty or until the warden requests them. If you go off duty before the polls close, be sure to give them to the officer who relieves you or to the warden before you leave.

AFTER POLLS OPEN

- at the check-in table - after voter gives his name and address, announce it loudly and clearly. Observers at the polls must be able to hear you.
- at entrance door - make sure all persons handing out campaign literature are at least 150 feet away from the door. Red stakes are placed at the 150 foot boundary. Anyone providing transportation to the polls for a voter cannot be permitted to wait in his car within the 150 foot boundary if any campaign material is visible on the car.
- in the parking lot - control the traffic.

WHEN POLLS CLOSE

If there is a line of waiting voters, stand at the end of the line when directed by the warden. Do not permit any additional voters to get in line after the polls are declared closed.

AFTER VOTES ARE ANNOUNCED

Bring the following items directly to the Town Hall. Do not make any stops on the way. It is essential that election material is promptly and safely delivered.

- sealed fibreboard box
- sealed envelope containing checked voting list
- sealed envelope containing tally sheet
- sealed envelope containing keys

At any time on election day, the warden may ask you to perform other duties as necessary and may ask you to enforce his commands and the election laws.

D. PAYROLL

The funds for the police officers' payroll may be included in the elections budget, the budget of the town clerk, police department or selectmen, depending upon the custom of the town. Police officers are often paid at an overtime rate for their election duty. However, some police collective bargaining contracts specify the hourly rate to be paid for this work. If the town accepts 41:111H, the police officers must be paid at their regular hourly rate for work at elections.

In some towns, the town clerk prepares the pay voucher for police officers who work at elections. In other towns, the pay voucher is prepared by the police department or someone else. Check with your town accountant.

III. REGISTRARS

The board of registrars has important statutory duties on election day and it is essential that at least a majority of the board be available to perform those duties. At least two members in addition to the town clerk are required. In towns having an election commission, at least three commissioners must be available. In general, election commissioners have all the powers and duties of registrars and town clerks with respect to elections. (see 51:16A)

In many towns, the registrars perform additional duties on election day not required by law. (see B.2. on pages 35 and 36)

A. SCHEDULE

In some towns, the registrars are regularly on duty in the office or at the polling place on every primary or election day. In other towns, the registrars are available by telephone, unless a voter requests that he be allowed to meet with the board and only in that case, do the registrars come to the office or polling place. Or, in towns where a majority of the board cannot be available either in person or by telephone, a formal vote is taken by the board prior to each primary or election to delegate its statutory duties with respect to certificates to the town clerk.

A few days before each primary and election, a board meeting should be held, if necessary, or the board members should be contacted to be certain that at least a majority will be available from the time the polls open until the last voter in line, if any, has been checked in to vote. If the members are to be available by phone, be certain that each gives you his schedule and the number at which he can be reached at all times during the day. The registrars should understand the importance of your being able to contact them on election day, unless they have voted to delegate their election day duties.

Note: For town elections in precinct towns, the registrars must be available in the office well after the polls close. (see last paragraph of B.1. on page 35)

If a vacancy in the board caused by death, resignation or retirement, or if a member's inability to perform his duties or his absence from the town on election day will make it impossible for a majority to be available, the selectmen may appoint a temporary registrar. The selectmen may make such an appointment upon the written request of a majority of the remaining members of the board. The person appointed must be enrolled in the same party as the absent registrar. [51:20] Note that there is no provision in the law to permit assistant registrars to perform the registrars' statutory election day duties.

B. DUTIES

The registrars' election day duties are covered in detail under ELECTION DAY in Volume 4 of this series. The following is a brief description of those duties.

Note: The registrars have duties in addition to those performed on election day. These duties will be covered in detail in Volume 5 of this series in sections related to those duties.

1. Specified in the General Laws [39:21; 51:59; 53:38; Regs. 51.03(5), 52.03(5), 54.03(6)]

The registrars must determine the eligibility to vote of a person appearing at the polls whose name has been omitted from the voting list or in whose name or address an error has been made. If possible after investigation, they authorize the warden to sign and issue the certificate at the polls, or sign and issue a certificate themselves. [51:59; Regs.]

The registrars must also determine the party enrollment of a voter who claims his enrollment has been incorrectly entered on the voting list. Certificates of error in party enrollment may be issued using the same procedures as for warden's or listing error certificates. [53:38; Regs.]

In each case, a majority of the board of registrars, rather than the town clerk acting alone, should make the determination of voter eligibility or party enrollment unless the board has formally voted to authorize the town clerk to make such a determination. In towns where board members are not available or are available only by telephone on election day, the registrars should establish formal guidelines before the election and vote to permit the town clerk to investigate each case and authorize certificates to be issued. If the registrars are available by telephone, the town clerk calls the board members for a determination only when the situation does not fall within the guidelines. The registrars may provide the town clerk with a supply of pre-signed certificates or authorize their signature stamp to be used.

For town elections in towns voting by precincts, the town clerk and the board of registrars, upon receipt of the returns from the several precincts, shall forthwith canvass the same, and immediately declare the results. [39:21]

2. Other Duties

In some towns, the registrars perform duties in addition to those required by law. However, there is no provision in the law to permit registrars within the guard rails during the time the polls are open except when they enter to vote. Their additional duties must be performed outside the guard rails and may include the following:

a. party change cards

For primaries, the registrars may be stationed at the party change card table at the polls to be certain voters have properly completed and signed their cards and to give out receipts. Assistant registrars or other persons assigned by the town clerk may also perform this duty.

b. demonstration punch card marking unit or model machine

The registrars may also give instructions to voters in the use of the punch card marking unit or the voting machine. If so, an election officer will not need to be assigned to this duty.

c. general assistance to voters

In some towns, registrars assist voters by directing them to the correct check-in table or to the correct precinct and may hand out information on ballot questions or the cards for voters waiting in line.

SAMPLE PRECINCT SCHEDULE

Presidential Election: Nov. 8th, Center School, Polls open 6 A.M.-8 P.M.

Democrats	Republicans
Warden (name) 5:15-11:00 A.M. and (tel.#) 3:00-8:30 P.M.	Clerk *(name) 5:15-10 A.M. and (tel.#) 2-8 P.M.
Dep. Ward.(name) 11 A.M.- 3 P.M. (tel.#) and 8:30 P.M.-end	Dep. Cl.*(name) 10 A.M.-2 P.M. and (tel.#) 8 P.M.-end
Inspector *(name) 5:45-9:30 A.M. (tel#) and 2-8:30 P.M.	Inspector (name) 5:45 A.M.-Noon (tel.#) and 6-8:30 P.M.
Dep. Insp.(name) 9:30 A.M.-2 P.M. (tel.#)	Dep. Insp.*(name) Noon-6 P.M. (tel.#)
Inspector (name) 9 A.M.-2 P.M. and (tel.#) 7-8:30 P.M.	Inspector (name) 10 A.M.-3 P.M. (tel.#)
Dep. Insp.*(name)5:45-9 A.M. and (tel.#) 4-7 P.M.	Dep. Insp.(name) 5:45-10 A.M. (tel.#) and 3-8:30 P.M.
Emergency Insp.(name) 2 - 4 P.M. (tel.#)	

Please: Come to the town clerk's office before election day to be sworn in if you see a star * next to your name.

It is essential that you arrive at the polls in time to go on duty at the hour(s) shown in the schedule. If you find you cannot work during the hours assigned, call the town clerk's office immediately at [tel. #]. Before or after office hours and on weekends call me at home at [tel.#].

Signature ____________________
Town Clerk

NOTE: In the sample above, the warden would eat lunch after he leaves the polls at 11:00 A.M. and eat dinner when he is through work for the day at 8:30 P.M. The deputy warden would eat lunch before he arrives at the polls at 11:00 A.M. and eat dinner before he arrives at 8:30 P.M. Necessary coffee and other breaks for all election officers during the day would be arranged either by the warden or the deputy warden while on duty. Also in the sample, the second team of Democratic Inspector/Deputy Inspector could not cover the hours from 2 - 4 P.M. An emergency inspector was assigned to these hours.

SAMPLE NOTICE TO ELECTION OFFICERS

(Town Clerk Letterhead)

Date________________

TO: Election Officers

RE: Presidential Election, November 8th

The presidential election will be held on November 8th and the polls will be open from 6 A.M. to 8 P.M. at the Center School. The hours to be covered by wardens and election clerks, or their deputies are from 5:15 A.M. to about 11 P.M. The hours to be covered by inspectors or their deputies are from 5:45 A.M. to about 8:30 P.M. Tellers must arrive at the polls at 8:15 P.M. and be prepared to work until about 10:30 P.M., or later.

At this election, we will be voting by precincts, #1 and #2 in the school gym, #3 and #4 downstairs in the school cafeteria. A large voter turn out is expected so it will be essential that as many of the regularly appointed election officers as possible be available to work on election day.

Please complete the enclosed card and return it to this office as soon as possible so we can arrange the election day schedule. A copy of the schedule will be sent to you about one week before the election.

Your signature____________________
Town Clerk

SAMPLE RETURN CARD
(4 X 6 index card)

PRESIDENTIAL ELECTION: NOV. 8TH, POLLS OPEN 6 A.M.-8 P.M.

NAME____

TEL. # _____________________________________
(where you can be reached in daytime)

Can you work at the election? Yes____ No____

Wardens/Clerks & Deputies: Hours to cover 5:15 A.M.-about 11 P.M.

Help open (5:15 A.M.)_____; Help close (to 11 P.M.)_____
Hours available during day______________________

Inspectors & Deputies: Hours to cover 5:45 A.M. - 8:30 P.M.

Hours available_____________________________

Tellers: 8:15 P.M. - about 10:30 P.M.

2
ELECTION WARRANTS

I. WARRANTS

NOTES

A. GENERAL

Every election including regular and special, town preliminaries, primaries and elections, state primaries and elections, and presidential primaries must be called pursuant to a warrant or notice. [39:10; 53:24; 54:63] While the General Laws require that the selectmen in towns prepare, sign and issue election warrants, town clerks usually become involved by providing the required information. By tradition in some towns, the town clerk prepares the entire warrant. The town clerk often recommends polling places and hours. He also files and records the warrant after it has been served.

B. FORM (see sample warrants on pages 53-60)

There is no official form for an election warrant and the format used varies among towns. It is suggested that you look at warrants on file in your office for past elections to determine the customary format for your town. Prior to each state primary and election and the presidential primary, the Elections Division sends to town clerks a sample warrant which may be used for those elections.

If your town has its annual town election on the same day as the annual town meeting, the election may be called under article 1 of the town meeting warrant. (see samples on pages 53 and 54)

If the annual town election is held on a different day from the business meeting but within 35 days, the election warrant would appear as part of the town meeting warrant but usually as a separate paragraph at the beginning rather than under an article. (see samples on pages 55 and 56) [39:9A]

If however, the annual town election is more than 35 days before or after the business meeting, a separate warrant must be prepared containing only the information about the election. [39:9A] The sample town election warrant included in the Election Resource Handbook prepared by the State Secretary's office may be used in this case.

C. INFORMATION REQUIRED

The following information should be included in each election warrant.

Note: Since almost all towns in Massachusetts use official ballots at town elections, procedures when official ballots are not used are not included in this manual.

1. Offices to be Elected [54:64]

For both state and town elections, the warrant must state the title of the offices to be elected. The candidates' names however, do not appear in the warrant.

Note: The General Laws do not specifically require that the term of office also be included under each office appearing in the warrant. However, this information is needed in a town election warrant to inform the voters, particularly if there are two different terms for the same office caused by a resignation, retirement, or death, or if the membership of an elected board is to be increased or decreased. Also, 54:42 requires that the names of candidates for different terms of service in the same office be arranged in groups according to the length of their terms.

The General Laws also do not specify that the number of members to be nominated or elected to a board or committee at a given election be included in the warrant. However, this information is also needed to inform the voters.

a. town elections

The offices to be elected at an annual town election are given in 41:1. The town may vote to have some of the offices listed in 41:1 appointed rather than elected. Under other sections of the General Laws, it may vote to elect offices not listed in 41:1, such as the finance committee members [39:16], library trustees [78:10], or park commissioners [45:2]. The town may also provide for the election of officers such as a board of public works [41:69D] and cemetery comissioners [114:22] by accepting sections of the General Laws.

In addition, town bylaws, charters, and special acts may determine which town offices are to be elected and which are to be appointed.

To determine the offices which are elected and must be included in the election warrant each year, check your bylaws, charter or special act and your election/appointment records for town officers. (see Town Clerks Manual, Volume II, Chapter 2, II. OATHS for information on records to be kept related to town officials)

(1) term to expire

The warrant for a town election must contain the elected offices having an incumbent whose term expires at that election. For example, if the town clerk is an elected office with a term of three years, the office would appear in the warrant only in the year in which the term expired. In two years out of the three, the office would not appear in the warrant.

The members of a board or committee, such as the board of selectmen may all have a one-year term. In this case, the warrant would include the office and the information that the total number of members are to be elected for a one-year term.

The members of a board or committee may also have terms of 3 or more years. In this case, as close to one-third of the members as possible must be elected each year. [41:1] For example, for a 5 member board of selectmen with 3 year terms, the warrant in two out of every three years would include two members and in the third year one member.

A board, such as the planning board, may have 5 members each of whom has a 5-year term. [41:81A] In this case, the warrant would include one member of the planning board each year.

If your town elects town meeting members from each precinct, this office must be included in the warrant, specifying the number of members to be elected from each precinct.

(2) vacancies or elected office filled by appointment

Also to be included in the warrant, are any elected offices which are vacant or which have been filled by appointment due to the death, resignation or retirement of the elected incumbent prior to the expiration of the term. In this case, the office must be filled at the next annual town election for the remainder of the unexpired term, unless a special election has been held prior to that time. (see C.4.g. on page 49) (see also 50:6A; 41:10,11,81A) For example, if the 3 year term of two members of the school committee expires at the next annual town election and another member resigned during the year after having served only 6 months of his term, the warrant would include the following: one member of the school committee for two years to fill a vacancy; two members of the school committee for three years.

(3) new board or office, change in number of members of board, change in term of office [41:2]

A town may vote to establish a new board or office, to increase or decrease the number of members of an existing board, or change the term of office where such term is optional. If such a vote is taken more than 30 days prior to the next annual town election, the vote affects the warrant for that election. If, however, the vote is taken within 30 days of the annual town election, the warrant is not affected until the succeeding town election.

Note: In order to comply with the schedule required by Chapter 53 for obtaining nomination papers, certifying signatures and filing papers with the town clerk, the vote must be taken at least 43 days (45 days if 54:9A has been accepted) before the town election or primary and at least 36 days before a preliminary, unless the selectmen have established a different schedule under 54:103P. Additional time should be provided to permit nomination papers to be circulated.

new board or office. The title of the new board or office should be included in the warrant. The town meeting vote should specify the terms of the members initially elected and their subsequent terms. For some offices, the General Laws specify the terms for the initial election and the subsequent terms. (see 41:45 and 41:63)

Example: If the new board has 5 members each having a 3-year term, the warrant for the intial election might include the following:

2 members of [board name] for one year;
2 members of [board name] for two years;
1 member of [board name] for three years.

At the following election, the office would appear on the warrant with two members to be elected for three years.

Note: If the new board or office replaces an existing one, the old board or office terminates upon the qualification of the new board members or officer.

increase number of board members. An increase in the membership of a board must be made by adding one or more members to each term so that the increase will become effective within 3 years. The town meeting vote should specify how the increase is to be made.

Example: If 2 members are to be added to a 3 member board having 3 year terms, the warrant might include the following:

1 member of [board name] for one year;
2 members of [board name] for three years.

At the following election, 2 members for a 3 year term would appear on the warrant. The third year, one member for 3 years would appear.

decrease number of board members. A decrease in the number of board members is made by choosing annually such number as will result in the correct number of members within 3 years.

Example: If a 5 member board having 3 year terms was decreased to 3 members, in each year that 2 members' terms expired, the warrant would include only one member to be elected for a three year term.

If, however, a 3 member board is to be replaced by a single officer, the change takes place in the following annual town election and the warrant would include only the title of the office to be elected.

change term of office. If the term of a single officer is changed, the office and the new term should be included in the warrant for the following election. Thereafter, the office should appear on the warrant in the year in which the term expires.

If the terms of board members change, the town meeting vote should specify the schedule for making the change.

Example: If the terms of a 3 member board are to be changed from one to three years, the warrant for the next election may include the following:

1 member of [board name] for 1 year;
1 member of [board name] for 2 years;
1 member of [board name] for 3 years.

If, however, the term of a 3-member board is to be changed from 3 years to one, the warrant for the next election might include the one member for 1 year. The warrant for the following year would include two members for 1 year and the warrant for the third year would include 3 members for 1 year.

b. state elections

The offices to be elected at a state election and the term of office for each are determined by the federal and state constitutions and by several sections of the General Laws. (see chart on pages 61-63) The sample warrant received from the State Secretary's office will list the offices to be included in the warrant for each election. It will include whether the office is to be elected for the Commonwealth, or for a district. The specific district in which your town is located should be entered in the space provided. If the town is split into two districts for state senator or state representative, enter the office title more than once, add the district and the precinct(s) included in that district on the appropriate lines.

The offices to be included in a state primary warrant will be the same as those which will appear on the warrant for the subsequent state election, except the office of president and vice-president. Offices to be included in a presidential primary warrant are presidential preference [53:70B,70E], state committee and town committee. [53:70D]

Note: The number to be elected, if more than one, is included in a state warrant. The term of office is not included.

2. Polling Hours [39:9; 53:43,63; 54:64]

Within the limits specified by the General Laws, the hour the polls are to open and to close may be established by vote of the town or town bylaw. If there is no town vote or bylaw, they are set by vote of the selectmen. In towns voting by precinct, the polling hours must be the same in all precincts.

In many towns, the selectmen request and accept the recommendation of the town clerk relative to the hours the polls should be open. If your town has few registered voters, the minimum number of hours may be sufficient. If you have a large number of voters who commute to work, the opening hour will probably need to be earlier than the required time. If the polling hours in previous elections have been too few, you will probably be the first officer to receive complaints from the voters and you may want to recommend longer polling hours to the selectmen.

a. hours polls to open

The warrant for each election must state the hours the polls will be opened. The General Laws specify opening hours for elections and primaries as follows:

- town elections: not earlier than 5:45 A.M. and not later than 12 noon. Minimum of 4 voting hours. [54:64]
- town primaries: opening hour not specified. Minimum of 4 voting hours. [53:63]
- town preliminaries: opening hour not specified. Check the town charter or special act.
- state elections: not earlier than 5:45 A.M. and not later than 7:00 A.M. [54:64] Minimum of 13 voting hours.
- state primaries: (earliest hour not specified) not later than 7:00 A.M. Mimimum of 13 voting hours. [53:43]
- presidential primaries: same as state primaries. [53:43,70H]

Note: If your town incurs additional costs because of opening the polls at a state election or primary or presidential primary at 7:00 A.M., the town is entitled to a reimbursement of such costs, the amount to be determined by the state auditor and distributed by the secretary of state not more than 30 days prior to each election or primary. [1983:503, s.3]

b. hours polls are to close

The warrant for each election must state the time when the polls will be closed. [54:64]

Exception: In towns having the annual town election on the same day and in the same place as the annual business meeting, the warrant may state when the polls *may* be closed and the town meeting may determine when the polls *shall* be closed. However, after the presiding officer has announced when the polls will close, they may not close at an earlier hour. [54:64]

The general law requirements for closing hours are as follows:

- town elections: closing hour not specified but must be not later than 8:00 P.M. Minimum of 4 voting hours. [54:64]

- town primaries: closing hour not specified. Minimum of 4 voting hours. [53:63]

- town preliminaries: closing hour not specified. Check town charter or special act.

- state elections: must close at 8:00 P.M. [54:64]

- state primaries: must close at 8:00 P.M. [53:43]

- presidential primaries: must close at 8:00 P.M. [53:43,70H]

3. Polling Places [39:10]

The polling place must be stated in every warrant. In towns having precincts, the polling place for each precinct must be specified. If voting by grouped precincts in primaries or town elections, the warrant may include one location for several precincts but should specify by number the precincts to vote at that location.

4. Date of Election

The date on which an election, preliminary or primary is to be held must be stated in the warrant. The General Laws specify the days on which state elections and primaries must be held. They specify the months during which annual town elections must be held. However, a date different from that provided in the General Laws for a town election, primary or preliminary may be specified in a charter or special act. [39:9] Also, unless determined by charter or special act, the selectmen may determine the date of a town preliminary or primary. [54:103P]

If the date established for an election falls on a legal holiday, the election must be held on the following day. [39:9; 50:4]

a. town elections [39:9,9A]

The annual town election must be held in February, March, April or May in each year, unless a different month is specified by your town special act or charter. [39:9] The town election may be held at the same time as, before or after the annual business meeting. [39:9A]

b. town primaries [53:28]

A town primary shall be held on the 28th day preceding the town election, unless otherwise specified in the town charter, special act or by the selectmen. (see 54:103P)

c. town preliminaries [54:103P]

The date of a town preliminary election may be specified in the town charter or special act. If not so specified, it may be set by the selectmen.

d. state elections [54:62]

The biennial state election shall be held on the Tuesday next after the first Monday in November in each even numbered year.

e. state primaries [53:28]

State primaries shall be held on the 7th Tuesday preceding the biennial state election and the 4th Tuesday preceding special state election, except that primaries before special congressional elections shall be held on the 5th Tuesday preceding.

f. presidential primaries [53:28]

Presidential primaries shall be held on the second Tuesday in March in any year in which presidential electors are to be elected. [1984 and every 4th year thereafter]

Note: Any town may hold its preliminary or regular town election on the same date as the presidential primary, provided that the town ballot is separate from the presidential primary ballot.

g. special elections

(1) for town office [41:10]

If there is a failure to elect (tie vote), or a vacancy in the office of selectman, the remaining selectmen may call a special election. They may vote to call the special election as soon as a resignation has been filed with the town clerk. However, the election cannot be held before the effective date of the resignation. (see 1985:34)

Upon the written request of 200 registered voters or 20 percent of the total number of registered voters, whichever is less, the selectmen must call a special election provided the request is filed with them not less than 100 days prior to the next regular town election.

If there is a failure at an election to choose a town officer, other than a selectman, or if a person refuses to accept an office or a vacancy occurs, the town may at any meeting (special election) elect a person to the office.

The selectmen determine the date of the special election and must provide at least 42 days (44 days if 53:9A has been accepted) to allow time for nomination papers to be obtained, signatures collected and certified and the ballot to be prepared. In practice, at least one additional week should be provided to permit nomination papers to be circulated. In large towns, probably longer than one additional week should be provided.

Note: If there is a failure to elect or a vacancy in an office other than selectmen, town clerk, treasurer, collector of taxes or auditor, the position may be filled by appointment under 41:11. The selectmen may appoint a temporary town clerk [41:14] (for all duties except those at town meeting), treasurer or collector of taxes [41:40], or auditor. [41:49] In these cases, the person appointed serves until the next annual election when the remainder of the unexpired term is filled.

In towns which hold town primaries or preliminary elections, the schedule for holding them prior to a special election is the same as for the annual town election. (see 4. b. and c. on page 49)

(2) special elections for state or county officers

If there is a failure to elect or a vacancy in the office of representative in congress, the governor issues a precept to the aldermen in each city and the selectmen in each town in the district to call a special election on the date designated in the precept. [54:140] He also issues such a precept to aldermen and selectmen in the appropriate districts or counties to call an election to choose a district attorney, clerk of the courts, register of probate, or sheriff only if there is a failure to elect and designates the date of the election in the precept. [54:142]

The county commissioners issue a precept to aldermen and selectmen designating the date of a special election if there is a failure to elect a county treasurer or register of deeds (except in Suffolk or Nantucket counties). [54:143]

The board of examiners issue the precept designating the date of a special election if there is a failure to choose a county commissioner. [54:144] (see 54:122 for membership of board of examiners)

5. Ballot Questions on Warrant [54:42B,64]

Any question to be submitted to the voters at a state or town election must be stated on the warrant in the form in which the question will appear on the ballot. [54:64]

The text of the question appears on the warrant following the names of the offices. (see sample warrants on pages 57 and 58) For a state election the summary of each question as it appears in the Information for Voters pamphlet should also be included. For public policy questions, the words "this question is not binding" should be included.

For town elections, a summary should not appear unless one is specifically required in a section of the General Laws, such as 54:58A.

D. NOTICE OF ELECTIONS - RETURN OF SERVICE [39:10; 54:63]

1. Notice of Election

In towns, all regular and special elections for state and town officers and town primaries, must be called as required in 39:10 and notice must be given at least 7 days before the election. [54:63] A town preliminary election must be called as required in the town's special act.

The warrant must be directed to a constable or some other person who must give notice of the meeting as prescribed by the bylaws or by a vote of the town, or in a manner approved by the attorney general. [39:10] Usually a constable is responsible for posting a copy of the warrant, certified by him as a true copy, in one or more public places in the town. If the town is divided into precincts, a copy should be posted in at least one public place in each precinct.

Town bylaws or a vote of the town may prescribe additional notice requirements, such as posting in several places in the town or in several places in each precinct and may specify the places. They may also require that the warrant be published in a local newspaper or a copy mailed to each household in the town although the mailing requirements in town bylaws or town votes usually apply only to the annual town meeting warrant.

2. Return of Service

At the end of the election warrant the selectmen direct the constable how to serve the warrant, often specifying the places in which it is to be posted or published. They also direct him to make his return of service to the town clerk.

In some towns, the warrant containing the original selectmen's signatures is given directly to the town clerk who provides the constable with copies for posting. The constable certifies each copy, posts them, and then comes to the town clerk to sign the return of service on the original warrant.

In other towns, the selectmen keep the original warrant and provide copies to the constable. The warrant is then given to the town clerk after the constable has posted the copies and signed the return of service on the original.

Regardless of the specific method used, the town clerk should be aware that the warrant containing the original selectmen's and constable's signatures should be securely kept as it constitutes proof that the election was legally called and that the citizens were legally notified. It is a permanent record of the town.

The return of service should be written or typed on the original warrant. The return does not need to state specifically how and when the warrant was posted or published, but having this stated will prevent questions from being raised later concerning the legality of the notice. Even though the warrant has been published in a newspaper or mailed, it should also be posted and the return of service must be signed.

3. Penalty [56:23]

The penalty for willfully defacing or removing a notice or warrant for a primary or election posted according to law is a fine of not more than $100.00 or imprisonment for not more than 6 months.

SAMPLE TOWN ELECTION WARRANT

(Town meeting and election same day, same place)

COMMONWEALTH OF MASSACHUSETTS

Midshire, ss

To: One of the Constables of the Town of [name], in said County:

GREETING;

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the inhabitants of said Town qualified to vote in elections and town affairs to meet at the Town Hall in said Town on Saturday, the 9th of March, 1985, at eight o'clock in the forenoon, then and there to act on the following articles: Article One, election of officers to be by official ballot, the polls will open at 8 A.M. and may be closed at 2 P.M.; the remaining articles to be acted upon commencing at 1 P.M. and if not completed, the meeting will be adjourned to Monday, March 11th at 7:30 P.M. at the Town Hall.

ARTICLE 1: To choose by official ballot in accordance with law, a moderator, three selectmen, a town treasurer, a collector of taxes, three constables, a highway surveyor and a tree warden, all for one year; one member of the board of health, one member of the school committee, one trustee of the library, one assessor all for three years; also one member of the board of health to fill a vacancy, for one year.

Also, to vote upon the following question:

Shall the town vote to have its selectmen act as Water Commissioners?
"Yes" or "No."

ARTICLE 2: ...

And you are required to serve this warrant by posting attested, printed copies thereof at the Town Hall, each public meeting house, railroad station and post office in said Town seven days at least before the time appointed for said meeting.

Hereof fail not and make due return of this warrant by your doing thereon to the Town Clerk, at or before the time of the meeting aforesaid.

Given under our hands this 11th day of February, in the year one thousand nine hundred and eighty-five.

Signatures:Selectmen of [name of town]

A true copy, Attest: Signature: Constable

February 20, 1985

I have this day posted printed, attested copies of this warrant as directed by the Selectmen.

Signature, Constable

SAMPLE TOWN ELECTION WARRANT

(Town meeting and election same day at different places)

COMMONWEALTH OF MASSACHUSETTS

Midshire, ss

To: either of the Constables of the Town of [name], in said county:

GREETING:

In the name of the Commonwealth of Massachusetts, you are required to notify and warn the freeholders and other inhabitants of said Town qualified to vote in elections and in town affairs, to meet in Memorial Hall, in said town on Monday, April 8th, 1985 at 8:00 A.M. to 7:30 P.M. (Election of Town Offices) and at Midtown-Largetown Regional High School at 8:00 P.M. until adjournment (Business Meeting) to act on the following articles, viz:

ARTICLE 1. To give their vote by official ballot for the following officers:

A Moderator, Tree Warden and Highway Surveyor, all for one year; a Town Clerk, Collector of Taxes, Selectman, Assessor and Cemetery Commissioner, all for three years; two members of the Midtown School Committee for three years, one member of the Midtown-Largetown Regional High School Committee for three years, and a member of the Planning Board for five years.

ARTICLE 2. To choose all officers not required by law to be chosen by ballot, or take any other action in relation thereto.

ARTICLE 3. ...

[Closing of warrant and constable's return is the same or similar to that shown in the sample warrant on page 53]

SAMPLE TOWN ELECTION WARRANT

(Town meeting and election on different days)
(no precincts)

COMMONWEALTH OF MASSACHUSETTS

Midshire, ss.

To the constable of the town of [name]:

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the town of [name], qualified to vote in town elections, to meet at the Town Hall in said town on Monday, March 25, 1985 at seven-thirty o'clock in the forenoon; then and there to choose by official ballot in accordance with law, one Moderator for one year; one member of the Board of Selectmen, one member of the Board of Assessors, one member of the Library Trustees, one member of the Board of Health, two members of the Park and Recreation Commission, one member of the School Committee, one Tax Collector, one Town Clerk, one Town Treasurer, all for three years; one member of the Planning Board for two years to fill a vacancy, and one member of the Planning Board for five years.

[If there is a question to appear on the ballot, the text of the question would appear here.]

The polls will be open at seven-thirty o'clock in the forenoon and will be closed at eight o'clock in the evening.

* And you are required to notify and warn the inhabitants of said Town qualified to vote in town affairs to meet at the Town Hall in said Town on Monday, April 1, 1985 at eight o'clock in the evening, then and there to act on the following articles.

ARTICLE 1. ...

ARTICLE 2. ...

[Closing of warrant and constable's return would be the same or similar to that shown in the sample of page 53]

*

If the business meeting and the election are more than 35 days apart, the paragraph preceding the articles and the text of articles would be included in a separate warrant.

SAMPLE TOWN ELECTION WARRANT

(Town meeting and town election different days)
(voting by precincts)

COMMONWEALTH OF MASSACHUSETTS

Midshire,ss.

To the Constable of the Town of [name]

GREETING:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the qualified voters of the said Town to meet:

The voters of precinct 1 at the Washington School
The voters of precinct 2 at the Town Hall
The voters of precinct 3 at the Jefferson School
The voters of precinct 4 at the South Fire Station

on

Monday, March 25, 1985

at 8:00 o'clock A.M. at which time in all precincts of said town, the polls will be opened and will remain open continuously until 8:00 P.M. of said day, when they shall be closed, during which time the aforesaid qualified inhabitants of said Town may bring in their votes to elect

[Include all offices to be elected and the term of office. Also include the text of any questions which are to appear on the ballot]

* And you are required to notify and warn the inhabitants of said town qualified to vote in town affairs to meet at the Town Hall in said Town on Monday April 1, 1985 at 8 o'clock in the evening, then and there to act on the following articles.

ARTICLE 1. To see if the town will vote to hear, consider and accept the reports of the town boards, commissions, officers and committees as printed in the 1984 annual town report or as otherwise presented, or act on anything relative thereto.

ARTICLE 2. ...

[Closing of warrant and constable's return would be the same or similar to that shown in the sample on page 53]

* If the election and business meeting are more than 35 days apart, the paragraph preceding the articles and the articles would not appear on the election warrant. A separate warrant would be needed for the business meeting.

SAMPLE STATE ELECTION WARRANT
(SHOWING FORMAT FOR BALLOT QUESIONS)

COMMONWEALTH OF MASSACHUSETTS

Midshire,ss.

To either of the Constables of the town of [name]

GREETING:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in elections to vote at

[polling place - by precincts, if applicable]

on

TUESDAY, THE SECOND DAY OF NOVEMBER, 1982

from __________ A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the election of candidates for the following offices:

[List of offices - format shown in sample on page 61]

and to cast their votes on the following questions:

QUESTION 1

PROPOSED AMENDMENT TO THE CONSTITUTION
State aid to non-public school students and certain institutions

DO YOU APPROVE OF THE ADOPTION OF AN AMENDMENT TO THE CONSTITUTION SUMMARIZED BELOW, WHICH WAS APPROVED BY THE GENERAL COURT IN JOINT SESSIONS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON JULY 2, 1980 BY A VOTE OF 171-4, AND ON JUNE 21, 1982 BY A VOTE OF 144-4?

YES ☐

NO ☐

SUMMARY: [text of summary as it appears in the Information for Voters pamphlet]

...

[Following state wide ballot questions and summaries appearing in the Information for Voters pamphlet, add questions which will appear on the state ballot for your town.]

[Warrant closing, constable's attestation and return of service would be the same as shown in previous warrant samples]

SAMPLE STATE ELECTION WARRANT

COMMONWEALTH OF MASSACHUSETTS
MICHAEL JOSEPH CONNOLLY, SECRETARY
SAMPLE COPY OF WARRANT FOR STATE ELECTION
(Warrant must be posted by October 30, 1984)

SS.

To either of the Constables of the Town or City of ______________________________

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the election to vote at

____
(insert precinct numbers)

____
(insert polling locations)

on TUESDAY, THE SIXTH DAY OF NOVEMBER, 1984

from ______________________ a.m. to 8 p.m. for the following purpose:

To cast their votes in the State Election for the election of candidates for the following offices:

ELECTOR OF PRESIDENT AND VICE PRESIDENT..............	For the Commonwealth
U.S. SENATOR...	For the Commonwealth
REPRESENTATIVE IN CONGRESS...........................	______________ Congressional District
COUNCILLOR...	______________ Councillor District
SENATOR IN GENERAL COURT.............................	______________ Senatorial District
REPRESENTATIVE IN GENERAL COURT......................	______________ Representative District
REGISTER OF PROBATE..................................	______________ County
COUNTY COMMISSIONER (2) Except Nantucket and Suffolk Counties.............	______________ County
COUNTY TREASURER	______________ County

VACANCY

In Bristol County : Sheriff
In Bristol County : Register of Deeds (Bristol Northern District)
In Hampshire County : Clerk of Courts
In Plymouth County: County Commissioner
In Worcester County: Sheriff

BALLOTS QUESTIONS
(List any local ballot questions which will appear on yourballot on this space.)

NOTE: See next page for sample ballot question format.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this ________ day of October 1984.

____

____

____

____

____

Selectman of : ______________
(Town)

____
(Indicate method of service of warrant.)

______________________________ 1984
Constable (month) (day)

(Warrant must be posted at least seven days before November 6.)

SAMPLE PRESIDENTIAL PRIMARY WARRANT

MICHAEL JOSEPH CONNOLLY
Secretary of the Commonwealth
SAMPLE COPY OF TOWN WARRANT FOR PRESIDENTIAL PRIMARY

THE COMMONWEALTH OF MASSACHUSETTS

To either of the constables of the Town of ______________________________

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to meet in ____

TUESDAY, the THIRTEENTH DAY OF MARCH, 1984
at 7:00 o'clock A.M., for the following purposes:

To bring in their votes to the Primary Officers for the election of candidates of Political Parties for the following officer:

PRESIDENTIAL PREFERENCE for each Political Party
Members of the State Committee for each Political Party for the
______________________________ Senatorial District.

.... Members of the Democratic Town Committee.

.... Members of the Republican Town Committee.

The polls will be open from   A.M. to 8:00 P.M.

Hereof fail not and make return of this warrant with your doings thereon at the same time and place of said meeting.

Given under our hands this __________________ day of March, A.D., 1984.

)
)
) Selectmen of
)
)
) ___________________________
)

A true copy.
Attest; .... Constable.

Note: Constable to add his return of service and signature before filing with Town Clerk.

SAMPLE STATE PRIMARY WARRANT

COMMONWEALTH OF MASSACHUSETTS
MICHAEL JOSEPH CONNOLLY, SECRETARY

SS.

To either of the Constables of the Town or City of ______________________

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at

____
(insert precinct numbers)

____
(insert polling locations)

on TUESDAY, THE EIGHTEENTH DAY OF SEPTEMBER, 1984

from ______________________ a.m. to 8 p.m. for the following purpose:

To cast their votes in the State Primary for the candidates of political parties for the following offices:

U.S. SENATOR . . . . For the Commonwealth
REPRESENTATIVE IN CONGRESS . . . . ________ Congressional District
COUNCILLOR . . . . ________ Councillor District
SENATOR IN GENERAL COURT . . . . ________ Senatorial District
REPRESENTATIVE IN GENERAL COURT . . . . . . ________ Representative District
REGISTER OF PROBATE . . . . ________ County
COUNTY COMMISSIONERS (2)
  Except Nantucket and Suffolk Counties . . ________ County
COUNTY TREASURER . . . . ________ County

VACANCY

In Bristol County: Sheriff
In Bristol County: Register of Deeds (Bristol Northern District)
In Hampshire County: Clerk of Courts
In Plymouth County: County Commissioner
In Worcester County: Sheriff

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this ________ day of ______________ 1984.
(month)

____

____

____

____

____

Selectmen of: ________________
(Town)

____
(Indicate method of service of warrant.)

______________________________ ______ 1984
Constable (month)(day)

(Warrant must be posted at least seven days before September 18.)

CHART

OFFICES APPEARING ON STATE WARRANTS

TITLE OF OFFICE	TERM (YEARS)	CONSTITUTION OR G.L. REFERENCE	COMMENTS
FEDERAL			
Electors of Pres. and Vice-pres.	4	U.S.Const. Art.II,s.1 54:151	Term is for Pres./VP Elected 1984 and every 4th year thereafter
U.S.Senator	6	U.S.Const. Amend. Art. 17 54:152	2 Senators, one elected 1982 and every 6th year thereafter; one elected in 1984 and every 6th year thereafter.
Representative in Congress	2	U. S. Const. Art. I. s. 2 54:153	1 from each district at every state election See 57:1 for congressional districts.
STATE			
Governor	4	Mass. Const. Amend. Art.82 54:150	1982 and every 4th year thereafter. Gov. and Lt.Gov. as team at Nov. election
Lt. Governor	4	"	"
State Secretary	4	"	1982 and every 4th year thereafter
Attorney General	4	"	"
State Treasurer	4	"	"
State Auditor	4	"	"
DISTRICT			
Councillor [Governor's]	2	"	1 for each district in each even numbered year. See 57:2 for councillor districts.

Senator in General Court	2	Mass. Const. Amend. Art 82 54:150	1 for each district in each even numbered year See 57:3 for senatorial districts.
Representative in General Court	2	Mass. Const. Amend. Art. 82 54:150	1 for each district in each even numbered year. See 57:4 for representative districts.
District Attorney	4	54:154 12:12	1982 and every 4th year thereafter. 1 for each district. See 12:13 for districts.
Register of Deeds	6	54:157 36:2	1982 and every 6th year thereafter. 1 for each district & for each county not divided into districts. See 36:1 for districts.
Politial party state committee	4	52:1	Elected at presidential prim.; 1 man & 1 woman from each senatorial district

COUNTY

Clerk of Courts	6	54:155 221:3	1982 and every 6th year thereafter. 1 for each county - except Suffolk [Suffolk Cty - 1 clerk for Supreme Judicial Crt. & 2 clerks for Superior Crt.]
Register of Probate	6	54:156 217:4	1984 and every 6th year thereafter. 1 for each county.
Sheriff	6	54:159 37:1	1986 and every 6th year thereafter. 1 for each county.
County Commissioner [except Suffolk & Nantucket Counties]*	4	54:158 34:4	1984 and every 4th year thereafter - 2 commissioners. 1986 and every 4th yr. thereafter - 1 commissioner.

County Treasurer [except Suffolk & Nantucket Counties]**	6	54:160 35:1	1984 and every 6th year thereafter. 1 for each county.
TOWN			
Political party town committee	4	52:2	Elected at presidential prim.; not less than 3 nor more than 35 members

Note: Some of the above offices may appear on the warrant at different times in the event a vacancy must be filled at a state election. (see also 54:62)

* Suffolk County - mayor & city council of Boston, municipal council of Chelsea, city council of Revere, selectmen of Winthrop; Nantucket County -selectmen of Nantucket have powers and perform duties of county commissioners.

** Suffolk County - treasurer of Boston; Nantucket County - treasurer of town of Nantucket shall be the county treasurer.

3
ELECTION FACILITIES AND EQUIPMENT

I. TOWN CLERK'S AND REGISTRAR'S OFFICE

NOTES

In most towns, the town clerk is at the office well before the polls are to open to remove the election material from the vault and distribute it to those who are to deliver it to the polling places. In addition, if the town clerk goes to the polls with election material, someone should remain on duty at the office to handle calls from the warden reporting problems unless the polls are nearby in the same building.

Both the town clerk's and the registrars' office should be staffed and open to the public from at least shortly before the polls open until after the last voter has voted on election day. In some towns, the offices are open to the public earlier and later.

Note: In most towns, the town clerk's office is also the registrars' office and will be referred to as the town clerk's/registrars' office in this manual.

Preparations, other than those outlined elsewhere in this manual, are required in the office to be certain the election can be conducted effectively.

A. COMMUNICATIONS [Regs. 51.03(5)(c), 52.03(5)(c), 54.03(6)(c)]

Good communication between polling place and the office and with the public is essential. The regulations require that at least one functioning telephone line for every 10,000 registered voters or fraction thereof be available in the registrars' office throughout the times when the polls are open. The lines entering a town switchboard and connecting to the required number of lines in the office may be counted to comply with the Regulations. Other equivalent communications, such as two-way radios, may also be counted.

If the office does not have the required number of lines, or more than the required number are needed for an election when voter turnout will be heavy, contact the telephone company at least 3 months in advance to arrange for additional temporary lines. These lines should be installed at least one week before the election to allow time for testing and any necessary repairs or adjustments.

If several additional telephone units are needed, a hunt system can be installed. In this case, one telephone number can be assigned and as many calls can be received at the same time as there are phone units connected to the system. It is suggested that this telephone number be given only to the precinct wardens for their use on election day. The regular published office telephone numbers will be available to the public.

Even though the polling place or places are all located in the same building close enough to the office so personal communication is possible, a telephone is needed to receive calls from the public. There are usually many telephone requests for information on every election day.

In some towns having a central switchboard, the line to the office is not regularly open to the public before or after the switchboard closes. In this case, make arrangements with the switchboard operator, through the selectmen's office if necessary, to have a night line connected to the office phone. For state primaries and elections, if not for town elections, you must be able to receive incoming calls long before and long after most town switchboards are operating.

B. COPIER

It is likely that copies of records or certificates related to the election will need to be made on election day. In some towns, the copier is used jointly by several town departments and is turned off when the town offices close for the day. In this case, make any necessary arrangements with the person in charge of the copier either to have it left on the night before and the night of the election or to allow you to turn it on as needed outside of regular office hours.

C. ELECTION RECORDS

Election records will often need to be searched on election day in connection with certificates for omitted voters and in primaries, to check party enrollment. To expedite the search, all affidavits of registration and all party change cards received before the close of registration should be processed and placed in the appropriate locations in the active files before election day. Also, current and past voting lists, street lists, and dropped voter lists or affidavits should be readily available.

In addition, absentee voter lists and the applications which have not yet been sent to the polls will need to be searched for those absentee voters who wish to vote in person. These records should also be readily available and in good order.

D. VOTING BOOTH

In some towns, the voting booth used by absentee voters before election day, is available at the office on election day for those voting under a listing error certificate who do not wish to return to the polls to vote.

E. PERSONNEL

The Regulations require that there be sufficient personnel in the registrars' office to staff the telephone lines continuously throughout the time when the polls are open. Personnel in the office will need to answer the telephone(s), to search the voter records and to take care of the people who appear for election or other business. Keep in mind that the regular daily business of the office, such as issuing dog, fishing and hunting licenses and providing copies of vital records, will also need to be handled on election day. The size of the staff will depend upon the size of your town and the number and location of the polling places. You may need a larger staff for a November election than for other elections and primaries.

In some towns, the town clerk is at the polls and the office is staffed by the assistant town clerk and/or other regular employees. In precinct towns, usually the town clerk stays in the office during an election unless a problem in a particular precinct requires his personal attention. The registrars, if in the office, may handle telephone calls.

In the larger towns, individuals not regularly employed by the office are sometimes brought in to work for the day. In this case, arrangements should be made well before the election for hiring and training. Providing written instruction both for training and for use on election day may be advisable. These extra people should be competent to answer routine questions and search records when necessary. However, they will need an experienced supervisor.

In any event, unless all certificates required on election day can be issued at the polls, there should be someone in the office able to issue listing error certificates and certificates for absentee voters to vote in person and to authorize the warden to issue certificates at the polls.

II. POLLING PLACES

A. GENERAL

For town elections, the bylaws or charter may designate a polling place, or they may specify that the selectmen are to designate it. For example, the bylaws may contain an article such as the following:

> The annual town election shall be held on the fourth Monday in March at such place and time as the selectmen shall designate.

For state elections in towns with precincts, the selectmen must designate the polling place for each precinct at least 20 days prior to the biennial state election and at least 10 days before a special state election. [54:24] Once designated, polling places do not need to be re-designated each year.

Also, the selectmen must cause the polling place "to be suitably fitted up and prepared" for an election. [54:24]

Since the town clerk is responsible for conducting the election and knows specifically what is needed in each polling place, he usually becomes directly involved in recommending locations, providing and preparing the necessary equipment and materials and supervising the physical arrangements of each polling place.

Note: The town where a district, such as a water or fire district, is situated shall provide said district an official ballot box and other necessary election paraphernalia when they are required for use in elections in that district, but all expense incurred in any election in the district shall be borne by the district. In districts composed of parts of two or more towns, the ballot box and election paraphernalia shall be furnished by the town where the election is actually held. [41:117]

1. Notice [54:24]

After designating the polling places, the selectmen must forthwith post a description of it in at least 3 places in each precinct. They may give further notice by publication in a newspaper or otherwise. In many towns, the polling place or places were designated and the notices were posted and published some years ago. If the same polling places have been used continuously since that time, the notice of the polling place contained in the warrant for the election is sufficient to comply with the law.

2. Change of Polling Place [54:24]

If a precinct polling place is changed from one location to another, the selectmen must post the description of the new polling place in such public places as they determine in the precinct and give notice by mail to each registered voter in the precinct. [54:24] The posting and notice requirements also apply to towns without precincts. However, if the warrant is mailed to each household, the notice requirements will probably be met and a separate notice may not need to be sent.

Voters do not always read notices received by mail or may forget by election day that the polling place has been changed. It is suggested that additional methods be used to be certain the voters are aware of the new location, such as notices in the newspaper or public service announcements on the local radio stations or community TV stations. In addition, the evening before the election or early election morning, a sign may be posted at the former polling place directing the voters to the new location.

B. NUMBER OF POLLING PLACES

1. General [54:24]

In towns which do not have precincts, obviously only one polling place is required.

In precinct towns, there must be a polling place in a "public, orderly, and convenient portion" of each precinct. If there is no suitable polling place within the precinct or if the selectmen decide that the public convenience would be better served, they may designate a polling place in another precinct. For example, if there is no public building or suitable room in precinct 1 but a school is located in precinct 2 near the boundary of precinct 1, it may be designated as the precinct 1 polling place.

2. All Polling Places in Same Building [54:24]

All polling places may be housed in a single building within the town if the selectmen so vote. In this case, each precinct would vote in a separate room in the building, or one room would be divided to prevent voters of one precinct from accidentally entering another precinct voting area.

3. Grouped Precincts - Primaries [53:28,42,70C]

If two or more precincts are grouped for primaries, only one polling place needs to be provided for each group of precincts. Note that precincts cannot be grouped unless the ballot is the same in each of the precincts to be included in the group.

The selectmen must vote to group precincts. A notice of the vote must be sent to the state secretary as follows:

- for state primaries, on or before June first;
- for special state primaries, at least 21 days before the primary;

- for presidential primaries, on or before the third Wednesday in November of the year preceding the primary.

4. Divided Precinct [54:7A]

Any precinct in a town where town meeting members are elected may be divided for the sole purpose of facilitating voting. Every such division of a precinct shall be designated by the addition of a letter to the number, or a number to a letter of the precinct. For example, precinct 1 may be divided into 1A and 1B, or precinct A may be divided into A1 and A2. In this case, a polling place must be provided in each section of the divided precinct.

The selectmen must vote to divide the precinct and notice of the division must be given to the state secretary forthwith. Within 20 days after the division, the selectmen must give written notice to each registered voter in the precinct specifying the polling place each is to use. The division takes effect on the first of December following the selectmen's vote.

C. LOCATION

In a town which provides voting booths, they may be set up in the public ways of the town, provided the ways are left reasonably safe and convenient for public travel. [54:24]

A polling place may be located in an armory [33:122], town hall, fire or police station, school or other public building in the town. When no publicly owned building provides a suitable location, a private building such as a church or legion hall may be used.

Note: To meet the requirement for accessible polling places, you might consider federal or state government buildings in your community. (see 7. on page 72) The federal government has urged its General Services Administration to make buildings it controls available as polling places. The building manager should be contacted directly. Federal post offices are available only if they are the only reasonable available place and only if application is made through the local postmaster at least 60 days before the election. Contact the Elections Division, 617-727-2828 or 1-800-462-8683, if you encounter difficulties.

In choosing a location for a polling place, the following should be considered:

1. Alcoholic Beverages Prohibited [54:24,73; 138:33]

Alcoholic beverages shall not be sold in any portion of a building which is designated as a polling place, during the hours the polls are open or while ballots are being counted. [54:24] The town department having jurisdiction over a public building and the owner of a private building being used as a polling place should be made aware of this general law provision. In some towns, the board of selectmen restrict the sale of alcohol on election day [138:33], but usually include in their restrictions only the hours during which the polls are open.

In addition, no intoxicating liquor may be permitted in a polling place during an election. [54:73]

2. Distance from Voters

The distance voters will need to travel from their homes in order to vote is an important consideration particularly if your town or one of your precincts includes a large area.

In many towns, the polling place is located as near as possible to the geographic center of the town or precinct. However, if there is a large concentration of voters in one area of the town or precinct, consider locating a polling place nearby rather than in the geographic center.

3. Size and Shape of Room

Adequate space in the room to be used for voting will be needed to accommodate the required equipment and to allow voters to move in and out of the polls easily. Also consider the space available for lines of voters waiting to get in to vote, particularly for a November election unless the polling place can be moved to a larger room for that election.

It is suggested that you obtain the dimensions of the room under consideration and the dimensions of each piece of equipment to be placed in the room. Make a scale model of the room actually set up for the election. This will help you determine whether or not the room can be used and how it can be arranged.

In addition, check the amount of wall space available to be sure it is adequate to post the required number of instructions and penalty cards, specimen ballots, etc. [54:65]

4. Electrical Service

If voting machines or special marking units are used, check the number and location of electrical outlets in the room to be certain that they are sufficient. If a computer is used in each precinct to tabulate votes, check to be sure proper electrical outlet is available.

5. Lighting

Lighting in the parking lot, at the building entrance, in the hallway and lobby should be checked to be sure it is adequate. In addition, the room used for voting should be well lighted. Checking the lighting after dark may be necessary.

6. Parking [Regs. 56.02(2)]

If possible, the number of parking spaces should be adequate for a November election when the heaviest turnout usually occurs. However, all the parking spaces do not have to be immediately adjacent to the building. For example, parking lots across the street from the polling place may supplement those next to the building. If these parking lots serve private buildings, contact the building owner for permission to use them on election day. Also, a police officer may be needed to help voters cross the street on election day.

If a parking lot is available on the premises of the polling place and has 25 or more parking spaces, a number of handicapped parking spaces specified in the Accessibility Regulations (see 7. below) and based upon the total number of parking spaces available, must be provided. A handicapped parking space must be at least 12 feet wide or a pair of 8 foot spaces separated by a 4 foot center aisle must be provided. If a sidewalk is provided at such parking spaces, a curb cut (sidewalk ramp) must be installed at each space or pair of spaces. The slope of the curb cut shall not exceed 1:12. [Regs. 56.02(2)] (see V. C. 2. b. on page 123 for signs required)

7. Accessibility [Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. ss. 1973ee to 1973ee-6, Regulations 950 CMR 56.00]

The Voting Accessibility for the Elderly and Handicapped Act, passed in September, 1984, requires that, starting in 1986 with the September state primary, all polling places for all elections in which a federal office appears on the ballot must be accessible to handicapped and elderly voters. Under the federal law, a handicapped voter is one who is either temporarily or permanently physically disabled. An elderly voter is one 65 years old or older.

Regulations promulgated in 1985 by the secretary of state, 950 CMR 56.00, to implement the federal law contain definitions and specifications with respect to polling places and voting equipment and procedures for obtaining exemptions from the accessibility requirements. Those related to polling places are as follows:

a. definitions and specifications

(1) site access [Regs. 56.02(1)]

A clear, reasonably lit, unobstructed path of travel must be provided from the designated spaces in the parking lot or if no parking is available, from the street to the accessible entrance to the building where the polling place is located. The path of travel must have a continuous common surface not interrupted by steps or changes in level greater than one-half inch.

(2) parking [Regs. 56.02(2)] (see 6. above)

(3) entrance and inner doors [Regs. 56.02(3)]

At least one entrance to the building must be accessible to physically disabled persons. If the main entrance to the building is not accessible, signs must be provided directing persons to the accessible entrance. (see C. 2. a. on page 123)

The approach to the entrance must be a paved walk or ramp with a non-slip surface. There must be a level space 60 inches from both sides of the door. The doors must be a minimum of 34 inches clear, measured at 90 degrees. Lever handles are recommended. Doors within the building necessary to obtain access to the polling place must also comply with 56.02(3) & (4).

(4) ramps [Regs. 56.02(4)]

If the entrance has stairs, a ramp must be provided with a slope no steeper than 1:12. The width must be no less than 36 inches. The ramp must also have handrails on both sides 34 inches in height. If it is impractical to install a permanent ramp, portable ramps shall be provided and may be used to gain access from the parking lot or street to the sidewalk as well as at the entrance to a building. Portable ramps must be securely anchored.

b. exemptions [Regs. 56.03]

Under the federal law, exemptions to the accessibility requirements may be granted by the chief election officer of the state in an emergency or if no accessible polling place is available and the community cannot make one temporarily accessible. The state secretary has delegated to the director of elections the authority to determine whether or not a polling place is exempt. Procedures for obtaining an exemption appear in the Regulations as follows:

(1) emergency exemption [Regs. 56.03(2)]

In an emergency, application for an exemption may be made and determined by the director of elections by telephone, but both the town and the director must confirm their communications in writing. Emergencies are circumstances which would make it impossible to comply with the written application procedures, such as a fire which destroys a polling place or makes it unusable, or a snow storm which prevents the use of portable ramps. Failure of the town to make adequate and timely plans does not constitute an emergency. An emergency exemption applies only to the one election for which it was granted.

Under other circumstances, the following procedures must be used to obtain an exemption.

(2) application [Regs. 56.03(4)]

The board of selectmen (or election commission) must apply in writing for an exemption. The application must be filed with the director of elections, One Ashburton Place, Room 1705, Boston 02108, under the penalties of perjury and in a form prescribed by the director, not later than 180 days before the first federal election of an even-numbered year. (see sample form on pages 131 and 132)

Note: For state primaries and elections, the application has to be filed with the director of elections in the previous March. For presidential primaries, the application must be filed in September of the previous year. Contact the Elections Division to obtain the exact dates for filing.

Not later than the application deadline, the town must give notice that it has applied for the exemption by posting a notice on the principal bulletin board, by sending copies to all local news media, and by mailing copies to the local council on aging, to any municipal handicapped office or commission, to the state Office of Handicapped Affairs (One Ashburton Place, Room 1305, Boston 02108) and to any additional organizations which the director may prescribe. The notice must state the designation, such as the name of a school or public building, and address of the polling place or places for which exemption is sought. In addition the following must be included: the reasons for the application, the location at which a copy of the application may be inspected and the fact that any person may file a written response with the director of elections within 30 days after the application was filed. (see sample notice on page 133)

The director may seek further information from the town or hold an informal hearing. Not later than 90 days before the first federal election of an even-numbered year, the director shall notify the town in writing whether an exemption is allowed giving the reasons for his decision. The period of an exemption shall be two calendar years, beginning with an even-numbered year. Renewal of the exemption requires a new application.

(3) standards [Regs. 56.03(3)]

In determining that all potential places have been surveyed and that no accessible place is available, nor is the town able to make one temporarily accessible, the director must consider several factors as follows:

- whether each location has been studied by a trained person to determine whether or not it is accessible. A trained person is defined as one with knowledge of what constitutes structural barriers to handicapped individuals. Handicapped persons, representatives of handicap groups or professionals who work with handicapped individuals should be consulted. The polling place should not be presumed to be accessible simply because there are no obvious barriers, but section 56.02 of the Regulations must be applied. If a location is inaccessible, the town should either seek an alternative accessible location or seek to have the barriers removed. A check list has been prepared by the Elections Division to assist local officials in determining whether or not a location is accessible. (see sample on pages 134-135)

- whether the owners or proprietors of the building have been consulted regarding the modifications. If the owners or proprietors are unwilling to make the modifications, then an alternative location should be sought. Possible locations include those which are currently accessible and those where the owners or proprietors are willing to make necessary modifications.

- whether an estimate of the cost to make the modifications has been obtained from a qualified person such as a construction contractor or carpenter, and whether different options for removing the barriers have been explored.

- with respect to polling places in inaccessible government buildings, whether the town has urged government officials to make the modifications necessary for the buildings to be accessible.

- the record of the town's percentage of polling places in compliance in the past.

- the town's expressed plans for providing an accessible polling place in the future.

c. variances [Regs. 56.02(7)]

A town may apply to the Architectural Barriers Board for a variance from the accessibility requirements of 950 CMR 56.02 or, to the extent they apply to a polling place, from the requirements of the Architectural Barriers Board's regulations 521 CMR 3.00. The variance application form is provided by the board. (see sample form on pages 136 and 137) The board also provides information and instructions for completing the application form. (see sample on page 138) No variance shall be allowed which substantially impairs the accessibility of a polling place to handicapped and elderly voters.

The completed application should be sent to Architectural Barriers Board, One Ashburton Place, Room 1301, Boston 02108.

Notice of an application for a variance must be given in the same manner as outlined for exemptions under 7. b. (2) on page 74. Notice must also be given to the director of elections.

d. alternative voting methods [Regs. 56.03(5)]

Handicapped or elderly voters assigned to an exempt polling place may vote by absentee ballot either by mail or in the office of the town clerk or election commission, if they previously apply in writing. (see ABSENTEE BALLOTS elsewhere in this manual) Current state law prevents assigning such voters to another polling place or permitting curbside voting outside the polls on election day.

e. information and advice

If your town is having difficulty in complying with the accessibility requirements, information and advice may be obtained from the Elections Division, 727-2828 or 1-800-462-8683; the state Architectural Barriers Board, 727-3200; the Executive Office of Elder Affairs, 727-8931; or the Office of Handicapped Affairs, 727-7440.

Some polling places can be made accessible to the elderly and handicapped without major reconstruction or expense by making minor modifications or by using a temporary ramp on election day. Such a ramp can probably be constructed by the building maintenance department. The town inspector of buildings, council on aging or handicapped commission may be able to give you some suggestions.

8. Visibility

The voters should be able to find the polling place easily. If possible, it should be located on a main street in the town and in a building easily seen from the street. The voters should also be able to find the entrance to the polls easily. If voters must use a side entrance, there should be space in front of the building for a directional sign.

9. Security

Since the voting equipment and furniture will need to be arranged in the polling place the day before an election or earlier, the level of security for the room to be used for voting and for the building is an important consideration. If the voting equipment is vandalized, or even moved out of place, during the night before the election, it might be impossible to repair damaged equipment or prevent the polls from opening on time.

It is suggested that you discuss security with the building custodian or owner well before an election. Also, discuss security with the police chief who may be able to provide police protection, if necessary, during the night before the election. Some voting equipment, such as a ballot box, may be locked in an office during the night.

III. EQUIPMENT

A. GENERAL

1. Examination and Approval by Secretary of State [54:32, Regs. 50.02, 50.05]

Only voting equipment which has been approved by the state secretary may be used for elections. [54:32] Equipment requiring approval includes ballot boxes, counting apparatus, voting machines, and electronic voting systems. A computer used only for counting punch card ballots must also be approved. Equipment such as guard rails, fibreboard boxes and furniture do not require approval.

The state secretary shall examine all types of voting equipment and determine whether such equipment complies with the minimum requirements imposed by law and whether the use of such equipment would further the efficient administration of elections. [54:32; Regs. 50.02]

Within 30 days after completing the examination and approval of any such equipment, the state secretary must make and file in his office a report on the equipment together with a written or printed description, drawings and photographs clearly identifying the equipment. As soon as practical after filing, the state secretary shall, upon request, send a copy of the report to any governing body in the state. [54:32]

The secretary of state shall monitor the performance of all approved voting equipment, and may for this purpose have representatives observe its use at elections in various cities and towns. If at any time the secretary decides after a public hearing, that any equipment does not conform with the requirements of law and the regulations, he may revoke his approval. He must file a written report to that effect and notify all interested city and town clerks. Revocation shall not prevent the continued use of previously approved equipment in cities and towns where it is then in use, but a city or town not then using or under contract to buy the equipment may not purchase it in the future. [Regs. 50.05]

If you are considering changing your voting equipment, it is suggested that you contact the Elections Division for information on the different types of approved equipment. It is also suggested that you contact a town clerk who has had experience with the kind you are considering. (see list of towns arranged by voting equipment used on page 139)

2. Purchase/Lease of Voting Equipment

a. public bid requirements [40:4B,4G]

If the cost of purchase, lease with option to purchase, or lease of voting equipment exceeds $2,000 [40:4B] or $4,000 if the town has accepted 40:4G, the town must comply with the public bidding requirements. The invitation to bid must be advertised in a newspaper published in the town, if any, or in a newspaper of general circulation in the town at least one week before the time set for opening the bids. The ad must state the date, time and place of the bid opening and reserve to the town the right to reject any or all bids. No bill or contract shall be split for the purpose of evading any provisions of the reqirements of 40:4B or 40:4G.

Usually a bank or certified check in an amount specified in the advertisement is required to be submitted along with the bid to quarantee performance. After the bids are opened and one is awarded, this check is returned to the unsuccessful bidders. It is returned to the successful bidder after he has delivered the equipment in satisfactory condition.

The bid specifications must be written in general terms even though you may wish to purchase equipment from a particular manufacturer. When a bid is received, time stamp the envelope or note the date and time of receipt on it, but do not open it. The bids must be opened in public at the time specified in the advertisement and each person present at the opening is entitled to examine all bids submitted. The bid does not need to be awarded at the time of opening.

Usually the selectmen award a bid for the purchase of equipment to be used for the first time in the town since they must vote on its use. In some towns, the town clerk awards the bid for any additional equipment purchased or leased.

If you have not been involved in public bidding procedures, it is suggested that you contact your town counsel or town accountant for advice.

b. contract

After the bid has been awarded, a contract must be prepared. Sometimes the manufacturer presents a copy of his proposed contract with his bid. A model contract for the purchase of a punch card system is available from the Elections Division. Before any contract is signed, either by the selectmen or by the town clerk, it should be approved by town counsel in order to protect the town's interests.

c. purchase/lease voting machines or electronic voting systems [54:34]

(1) selectmen's vote

A town may, by majority vote of its board of selectmen at a meeting held at least 90 days before a primary, preliminary, or election, decide to purchase, lease, or lease with an option to purchase, one or more voting machines or an electronic voting system and order their use at primaries, preliminaries, and elections for state and town offices. The equipment must have been approved in accordance with 54:32. Thereafter, it must be used at all primaries, preliminaries, and elections in the town until the selectmen vote to discontinue such use. Discontinuance of use may not take place later than 60 days prior to a state or presidential primary or a state election nor later than 30 days prior to a town primary or election.

(2) notice of selectmen's vote [54:34]

Within 5 days after the selectmen's vote, either to use or to discontinue use of the equipment, the town clerk must send notice of the vote to the secretary of state. The notice should be addressed to Elections Division, One Ashburton Place, Room 1705, Boston 02108.

d. bond [54:33G,39]

When ballot boxes, voting machines [54:39] or an electronic voting system [54:33G] are purchased or leased, the supplier must give bond to the town clerk with sufficient sureties to keep the equipment in working order for two years. The supplier must also give a bond with sufficient sureties indemnifying the town against any law suits and for any expenses, damages, or inconveniences incurred by reason of any suit against it for infringement of patents or other rights arising from the purchase, lease, or use of the equipment. The indemnity bond should remain in effect indefinitely.

3. Care and Custody of Election Equipment [54:28]

The town clerk shall provide a place for the safekeeping of the ballot boxes and counting apparatus furnished by the Commonwealth and of voting machines used in the town. He shall have the care and custody of them and see that they are kept in good order and repair. The custody, care and repair of all voting machines, ballot boxes and counting apparatus shall be at the expense of the town, but shall be subject to the supervision and control of the state secretary. The state secretary may, at the expense of the Commonwealth and subject to approval as provided in 54:32, cause necessary improvements to be made in any of such voting machines, ballot boxes or apparatus.

In determining where to store voting equipment, try to find a location that is dry, clean and provides good security. Funds should be included in the elections budget each year to provide necessary maintenance on all equipment and for replacing items when necessary. Keeping equipment properly covered between elections will help prevent deterioration or damage.

Note: If your town uses voting machines, it is suggested that funds be periodically included in the election budget for a manufacturer's functional inspection of each machine. In some towns, this inspection is done every four years during the summer before a presidential election. In other towns, it is done more often.

E. BALLOT BOXES

1. Number Required

Regardless of whether your town votes by paper ballot [54:83], voting machines [54:35A] or an electronic system [54:33E], at least one ballot box must be provided for each polling place. In voting machine towns, the ballot box is required for challenged and absentee ballots. [54:35A]

The state secretary shall, at the expense of the Commonwealth, provide a state ballot box to every city and town for use at every precinct or division of a precinct under 54:7A. [54:26] In many cases, the ballot boxes now in use in your town were originally supplied by the state secretary at the expense of the Commonwealth. If a ballot box becomes defective or is lost or destroyed, the state secretary, upon application by the town clerk, shall provide another ballot box. However, the replacement ballot box must be paid for by the town. [54:29]

However, if your town is required to be divided into precincts for the first time or has had to add one or more new precincts because of redistricting after a state census, one ballot box for each additional precinct may be obtained at the expense of the Commonwealth.

More than one ballot box may be used in each polling place if the selectmen so vote. If the town is not divided into precincts, or votes by grouped precincts in a primary, several check-in and check-out tables may be necessary for the convenience of the voters. In this case, a ballot box will be needed at each check-out table and the voting list must be divided into as many sections as there are ballot boxes. The additional ballot boxes may be obtained from the state secretary upon request by the selectmen, but the town is required to pay for them. [54:67A]

The state secretary will order the ballot boxes and have them delivered to the town. Or, you may order them directly from the vendor. The only ballot box vendor in the state is S. Ralph Cross Co., 120 Mayfield Street, Worcester 01602. The boxes should be billed to the Commonwealth or to the town as outlined above.

2. Specifications [54:33; Regs. 50.02(2)(c)]

Ballot boxes shall have sufficient locks and keys, or seal fastenings, and shall contain mechanical devices for receiving, registering and canceling every ballot deposited therein.

Usually each ballot box has a set of 3 keys, one for the side door which is opened to examine the box and to remove ballots, one for the top of the box which may be opened to gain access to the register and the canceling wheel, and one to open the small door on the top through which ballots are deposited. A duplicate set is usually provided with a new ballot box.

A removable crank is also provided for each box.

A rubber strip is attached to the canceling wheel which imprints the ballot at the time it is deposited, with the name of the town and the precinct number, if applicable. Replacement strips can be purchased from the ballot box vendor should the imprint become illegible through long use, or should a precinct number need to be added to one of your current ballot boxes.

3. Preparation

Near the canceling wheel is a cylindrical fabric wheel containing the ink for cancellation. Since this fabric wheel tends to dry out, it should be re-inked shortly before each election using ordinary stamp pad ink.

The register is in the top front of the box. The knob for resetting the register is at one end of the number wheels.

Check each ballot box before every election. Be sure you have the keys and a crank. Be sure that the canceling mechanism and register are working properly. These can easily be tested by cranking letter size paper folded lengthwise through the ballot box several times. The name of the town and precinct number, if any, should be clearly imprinted on the paper and the register number should increase by one each time.

After testing, set the register to zero, remove the crank and lock it inside the top. Lock the small door through which the ballots are to be deposited. Check the box to be sure it is empty and lock the side door. Keep the keys in the office safe or other secure place until they are transmitted to the polls with other election material.

4. Penalty [54:27]

The penalty for willfully or maliciously injuring, tampering with or destroying a ballot box furnished to a city or town is a fine of not more than $500.00 or imprisonment for not more than one year.

C. MARKING SHELVES OR COMPARTMENTS (PAPER BALLOT BOOTHS) [54:25; Regs. 56.02(6)(b)]

The selectmen shall cause each polling place to be provided with a sufficient number of marking shelves or compartments where voters may conveniently and secretly mark their ballots. These marking shelves are commonly called paper ballot booths or voting booths.

1. Number Required

a. paper ballot towns

If the town uses official paper ballots or paper ballots to be marked with a special ink, not less than one booth must be provided for each 75 voters at each polling place. In addition, not less than 3 booths must be provided in any town or voting precinct thereof.

b. voting machine towns

If the town uses voting machines, one paper ballot booth must be provided in each polling place. This booth is to be used by challenged voters.

Note: In towns using punch cards, the special marking units may be placed in paper ballot booths or folding metal booths designed for the marking units. (see L.1.a. on page 106 for number of special marking units required.

2. Specifications

The only specifications appearing in the General Laws for paper ballot booths are that they must allow the voter to conveniently and secretly mark his ballot. Any type of arrangement which provides convenience and secrecy to voters meets these specifications.

However, the accessibility Regulations require that at least one marking shelf at each polling place where paper ballots or punch cards are used must provide clear space under the shelf not less than 30 inches wide and not more than 32 inches in height to the top of the shelf, with at least 27 inches clear to the underside of the shelf. When punch card ballot booklets are used at a primary, one special marking shelf for each party must be provided. [Regs. 56.02(6)(b)] You may adjust one of the commercial ballot booths you have on hand, purchase a booth meeting the accessibility requirements from the vendor or have one made. (see 3. below)

3. Obtaining Ballot Booths

Ballot booths may be purchased from Merrimack Valley Wood Products, Inc., 476 Lowell Street, Methuen 01844, the only vendor in the state. These booths are constructed of wood and masonite and provide two compartments for voting when set up. They have several hinged sections allowing the booths to be folded when not in use. Hinged shelves are attached to provide a flat surface on which to mark the ballot at a convenient height for most voters while standing. Each shelf has three solid walls to prevent anyone from seeing how the voter is marking his ballot.

You are not required to purchase paper ballot booths, but may have them constructed by the town building maintenance department or by a private carpenter. If necessary, they can be made of sturdy cardboard taped to a table at which the voter sits to mark his ballot. The booth should be wide enough to allow the voter to write easily, leaving room for his elbows and should have two solid sides projecting far enough from the back wall of the booth to prevent a voter in the next booth from seeing how the ballot is being marked. The walls need to be high enough to prevent anyone standing nearby from seeing over the the top.

Since voters have a tendency to lean on the shelf while marking their ballots, free-standing homemade booths should be quite steady and able to carry some weight.

4. Preparation

Once you have purchased, or had the booths made, the only preparation required is that they be properly set up and a black lead pencil or a pen for marking a paper ballot or for write-in voting in punch card towns be tied in each booth. Tie the pencil or pen with a piece of string only long enough to allow the ballot to be marked easily. To assist voters, instructions for voting or a copy of ballot questions in large type may be taped inside each booth.

D. GUARD RAILS [54:25]

The selectmen shall cause a guard rail to be so placed that only persons inside thereof can approach within six feet of the ballots boxes, marking shelves or compartments, or within six feet of the voting machines. The purpose of the guard rail is to prevent unauthorized persons from walking within touching distance of the voting machines, ballots boxes, ballot booths, etc. or from getting into the area reserved for election officers. Also, the guard rail should make it clear where voters entering the polling place should be checked in and where observers or candidates' poll checkers may stand or sit.

Note: In punch card towns, the tabulation center, whether in each polling place or in a central location, must have a barrier of some sort to enclose the counting area so that no unauthorized persons may touch any election materials or be in the counting area at any time. [Regs. 55.03]

The General Laws do not specify what material should be used as a guard rail or how it should be constructed. In some towns, the custodian of voting machines or the town building maintenance department has made wooden guard rails for use in elections. Usually these are constructed in sections which can be assembled prior to an election and disassembled for storage after the election. Some have built-in tables for the use of election officers.

The guard rail may consist of a series of posts and cords similar to those used in a theatre or ordinary clothesline rope tied to furniture. A line of chairs may be used to block off areas within the polling place where voters are not permitted.

E. FIBREBOARD BOXES

1. General

Regardless of the type of voting system in use in your town, you will need containers for each polling place in which to seal official election materials for transmittal to the polls on election morning and for return to the town clerk on election night after the public announcement of the vote.

In most towns, boxes are used. These are commonly called ballot filing cases, sealing, fibreboard or leatheroid boxes. In this manual they will be called fibreboard boxes. They are made of durable material resembling thick leather. They have leather or heavy fabric straps which can be threaded through loops riveted into the box and then buckled.

Fibreboard boxes in two sizes are available from S & M Trunk & Case Co., 59 Armory Street, Boston 02119, the only vendor in the state. However, you are not required to purchase them. The container may be a large envelope. Or, it may be a wooden box or cardboard carton, provided it can be sealed, or tied lengthwise and crosswise with heavy twine and sealed with stationer's sealing wax. [54:107]

> Exception: In towns having electronic voting systems and in which a central tabulation center has been designated [54:33F], ballots must be enclosed at the polling place in a container which can be locked with a key. This container must be used to transmit ballots to the central tabulation center. [54:105A] In most punch card towns, a metal carrying case, designed specifically for punch cards and having a hasp and padlock, is used for ballots whether counted in each precinct or in a central tabulation center. Suitable metal boxes are available from the vendor of the electronic voting system.

2. Number Required

At least one fibreboard box is needed for each polling place at elections. At primaries, two may be used since the ballots for each party must be counted and sealed separately. (see 53:39) However, the ballots for both parties may also be packed and sealed in the same box provided they have first been sealed in separate envelopes.

In paper ballot towns, the cast ballots must be sealed in a box by themselves so an additional box will be needed for sealing other official election material such as unused and spoiled ballots, absentee ballot envelopes, etc.

In punch card towns, one box will be needed for official election material not enclosed and locked in the metal carrying case.

In voting machine towns, more than one box may be needed if there are a large number of write-in votes since a large amount of write-in paper may not fit in the box with other official election material.

F. COMMUNICATIONS [Regs. 51.03(5)(c), 52.03(5)(c), 54.03(6)(c)]
(see also TOWN CLERK'S/REGISTRARS' OFFICE on page 65)

If the polling place is in the same building near the office where the voter records are kept, no special equipment will be needed to provide adequate communication between the polls and the office. Otherwise, at least one telephone or other type of communication will be needed in each polling place immediately available to the warden all during election day.

The telephone should be located as close as possible to the area reserved for election officers, particularly for a November election when many calls to the office may be required. If a telephone is not already available in or near the voting room, contact the person who has jurisdiction over the building to determine whether or not a temporary telephone may be installed.

If no other telephone can be made available, a nearby pay phone may be used. In this case, provide the warden with a roll of dimes.

G. VOTING MACHINES

1. Number Required

a. at elections [54:25]

A voting machine must be provided at each polling place for every 400 voters, or major part thereof, entitled to vote in that polling place regardless of the expected voter turnout at a particular election. For example, if there are 601 voters entitled to vote in a polling place, 2 voting machines must be provided to comply with the law.

For a November election, usually more than the required number of machines are needed to prevent long voter waiting lines. The length of lines is directly related to the time it takes each voter to cast his ballot once he enters the voting machine, rather than the time required to check the voter in at the entrance table. In some towns, one machine for each 250-300 voters is provided in each polling place. (see Appendix A on pages 140 and 141 for information on estimating the number of machines needed)

However, it is often difficult to obtain funds to purchase more than the required number of machines. Used machines are sometimes available at a much lower price than new machines. Care should be taken in purchasing used machines to be certain they are in good condition, unless you purchase a guaranteed reconditioned machine from the manufacturer. Rental machines are sometimes available from the manufacturer and these may be used for a November election. If you plan to purchase or rent additional machines, arrangements should be made at least 2 or 3 months prior to the necessary delivery date. The public bidding and bond requirements outlined in A. 2. on pages 79 and 80 apply.

Note: If additional voting machines are purchased or rented, they must contain spaces for at least 50 candidates' names in a single row (50 column machines) even though the voting machines currently in use contain only 40 columns. [Regs. 50.02(4)(a)]

b. at primaries [53:70H; 54:33]

At state and presidential primaries, separate voting machines may be used for listing the names of candidates of each of the political parties. In this case, the town clerk must determine the number of machines to be used for each party and notify the state secretary at least 90 days prior to the primary. The Elections Division will send you a request for this information before the 90 day deadline.

In determining how many machines to prepare for each party, consideration should be given to the number of voters enrolled in each party. If there is approximately an equal number of Democrats and Republicans in your town, you should probably provide about the same number of machines for each party in each polling place. If there are many more machines set up for one party than for the other, you will probably receive a number of complaints from voters who feel their party has been unfairly treated.

However, consideration also should be given to the expected turnout of enrolled voters in each party and your estimate of number of unenrolled voters likely to vote in each party. Check the votes cast in several previous primaries against your records of the number of enrolled voters in each party and the number of unenrolled voters who voted. Keep in mind that in each primary, the candidates, the level of campaign activity and the issues are different and you will need to consider these specifics for the primary for which you are preparing.

Since 54:33 does not require separate machines to be set up for each party, you may place the ballot of both parties on all machines. However, at a presidential primary this may not be possible or practical due to the number of town committee candidates.

Note: The total number of machines used in a primary must be at least one for each 400 registered voters as required by 54:25 whether or not separate machines are used for each party.

2. Specifications [54:33,33A; Regs. 50.02]

Voting machines must have a convenient, simple and satisfactory means of voting at primaries and elections, of determining the results, and of preventing and detecting double voting at all elections and primaries. At primaries, there must be a means of preventing voting for candidates of more than one party. In addition, a voting machine must secure to the voter as much secrecy as is afforded by using a paper ballot. [54:33; Regs. 50.02(2),(3)]

Voting machines must have locks to prevent their operation before the polls open and after the polls close and must be suitably lighted. They must have the following counters: [54:33A; Regs. 50.02(2)(b)]

Note: The location of counters given in the following relates to AVM Corp. voting machines since Shoup machines are used in only two cities in the Commonwealth.

- a protective counter to register the total number of times the machine has been operated. It includes factory tests, preparing the machines for use at an election or primary, testing or repairing a machine during an election, and the votes cast by voters on election day. This counter is at the top of the right end (as you face the front) of the machine and is labeled.

- a public counter to register the number of times the machine was operated on election day. The numbers registered on the public counter during an election will include the number of times the voting machine was operated by voters when voting and by a custodian of voting machines when repairing, testing or clearing it. The number of times it was operated by the custodian must be subtracted from the number appearing on the public counter in order to determine the number of votes cast on that machine. The public counter is located on the right end (as you face the front) of the machine a few inches above the bolt used to raise the machine and is labelled.

Note: There is also a public counter inside the center door on the back of the machine at the end of row A next to column 1. This public counter will register the number of times the machine is operated during election day the same as the outside public counter. The two counters should agree at any time during or after the election, unless one of these counters was not set back to zero during the machine preparation.

- candidate counters on which the votes cast for candidates are registered. These counters are on the back of the machine behind the large center door. There is a set of three interlocked wheels for each candidate pointer on the face of the machine. Each set is identified by a number and a letter, 1-A, 2-A... 1-B, 2-B, etc., the number indicating column and the letter indicating the row.

- question counters on which the votes cast for ballot questions are registered. These counters are also on the back of the machine behind the large center door and are the top row of wheels. The question counters are paired, one for "yes" and the other for "no."

Note: In a November election, the question counters along the top of the machine are used for ballot questions. However, in town elections, the question(s) may appear at the end of the office label and the candidate pointers in row A may be used by voters to register their answers. Questions are not required by the general laws to be placed at the top of the machine. (see PREPARING ELECTION MATERIALS, I. BALLOTS on page 153)

Voting machines shall be equipped to permit the insertion of four-inch wide ballot labels for display of ballot questions. [Regs. 50.02(1)(e)] The holders for ballot question labels are attached at the top front of the machine inside the front doors.

Voting machines must also have a device to be used by the voters to indicate the candidate for whom they wish to vote and the response they wish to make to the questions. These are called "Vote Indicators" in 54:33A and are sometimes called "pointers" or "candidate levers." They are on the front of the machine behind the double doors.

The party lever at the end of the machine above the outside public counter is used in primaries to prevent voters from voting for candidates of the party in which the voter is not enrolled. This lever would be used only if the ballot for both parties is on the machine.

3. Additional Standard Equipment

Many of the items needed, such as lockout wrenches, compensators, pins, hand cranks, etc. are standard equipment and are provided with each voting machine purchased. However, some extra standard equipment is often needed and it is suggested that the following items be purchased.

a. hand cranks (printomatic machines)

Extra hand cranks may be needed since these are easily misplaced during voting machine preparation. A missing hand crank on an election morning can cause a serious problem in opening the polls on time. One or two extra cranks may be provided for each polling area.

b. dust covers

Each new machine is delivered with a dust cover. However, even though the dust covers are made of heavy plastic, they become torn and need to be replaced regularly. Unless you can store the machines in a low dust storage area, these covers are essential. Dust covers in denim or other heavy fabric are available, but they are much more expensive than the plastic covers.

4. Other Equipment

a. power hoist

Unless you have only a few machines, a power hoist will be needed to crank up the machines into the voting position and to crank them down for storage. Using the hand crank on a large number of machines during preparation of the machines and the polling places is very time consuming and tiring. The power hoist is usually not part of the standard equipment but may be purchased from the voting machine manufacturer. However, a heavy duty reversible drill available at a hardware store, may be used but an adapter is needed to fit over the bolt at the end of the machine.

Note: A power hoist may be included as part of standard equipment if machines are being purchased for the first time.

b. hardware

The following items available from a hardware store will be needed:

- screw driver for installing and removing write-in slot covers.
- scissors or single edge razor blades for trimming write-in paper for installation on the take up roll. These may also be needed for trimming ballot labels if they are too long, or too wide.

- metal clippers or heavy duty scissors for cutting the metal seals.

c. receptacles for voting authority certificates [54:33B]

Voter authority certificates must be placed in a receptacle by the election officer when the voter enters a machine. The General Laws do not specify what kind of receptacle must be used. In some towns, the certificates are placed on a spindle and in others, they are placed in a box, or an envelope taped to the end of the machine.

The number of receptacles is not specified in the General Laws. At least one receptacle for every two voting machines is needed. One for each machine may be provided. In this case, if the election officers are careful to place the certificates in the correct receptacle, the number of certificates may be checked against the number of votes cast on the machine after the polls close should there be a problem in balancing the count. (see ELECTION DAY, Volume 4 of this series)

d. step stool

In some towns, a step stool is provided at each polling place for the use of short voters particularly those who wear bifocals since these voters may have difficulty in reading the ballot labels or writing in votes. A stool, similar to that usually used in libraries, may be purchased, or one may be made by the voting machine custodians or town building maintenance department. The stool should be sturdy and stable.

Note: Voting machines can be made adjustable to allow the machine to be lowered with the front doors open. Having an adjustable machine would eliminate the need for a step stool and provide a machine with all pointers less than 60 inches above the floor. (see e. below) A conversion kit with panels and hardware is available from the Sequoia Pacific Systems Corp. (AVM division), P.O. Box 1399, Jamestown, NY 14702 at telephone number (716) 487-0161.

e. reacher [Regs. 56.02(6)(c)]

For voting machines having any candidate or question pointers higher than 60 inches above the floor, a reacher must be made available in each precinct to assist disabled persons in reaching the upper pointers. The reacher is a 26 inch long wooden stick with a hook on one end that is used to pull down the pointers. It may be home-made by attaching a "C" hook to the end of a 26 inch dowel. A reacher may also be purchased from the Hospital Equipment Service Store, 267 Shrewsbury Street, Worcester, telephone number 1-800-922-8218.

A reacher is not required, however, if the voting machine is made adjustable as outlined in the note under d. above or by some other means.

5. Custodians of Voting Machines [54:30A]

a. appointment

In towns having voting machines, the General Laws require that the town clerk appoint one or more custodians of voting machines. The appointment must be made in writing.

SAMPLE APPOINTMENT

(Town Clerk Letterhead or appointment form)

Date ______________

I have this day appointed [name] of [address] a custodian of voting machines for the town of [name]; term to expire on [date].

Your Signature __________
Town Clerk

b. number to be appointed

The General Laws require that at least one voting machine custodian be appointed. The number of custodians needed will depend upon how many machines are to be used for elections and their locations. The time available for voting machine preparation is limited and enough custodians should be appointed to be certain that the preparation can be completed in time. Also, problems with machines which may develop on election day should be solved as quickly as possible. In any event, more than one custodian should probably be appointed in case a custodian is unable to work prior to or during a particular election.

Many of the town clerks having voting machines are proficient in their preparation even though this is not required. If you have or are planning to obtain voting machines, it is suggested that you at least become familiar with their operation even though you may not actually prepare the machines for an election, so that you can properly supervise the election officers and be able to solve some of the most common problems.

In some towns, the town clerk has appointed himself as the custodian of voting machines. In this case, the appointment should also be in writing.

c. qualifications

The primary qualifications for a custodian of voting machines are as follows:

- considerable mechanical aptitude and ability to understand complex machinery;
- high standards of fairness and impartiality;
- availability to work for at least one or two weeks prior to each election, primary or preliminary and on election day.

Even though the machines are very heavy, women have been appointed as voting machine custodians and should not be eliminated from consideration. Machines are equipped with swivel wheels and can be easily moved around with a little practice.

54:30A does not require that voting machine custodians be registered voters of the town, although registered voters are usually appointed.

While consideration of party enrollment of voting machine custodians is not required by the General Laws, some town clerks try to maintain a party balance in the appointments to avoid complaints which might be made in primaries and partisan elections if custodians were all enrolled in one party. However, the qualifications listed above are much more important than party enrollment.

In many towns, custodians of voting machines are also employees of the town's building, fire, police or other department. In this case, since custodians will usually need to prepare the voting machines and must work on election day during the regular departmental working hours, the head of the department should be contacted for his approval prior to making the appointment.

d. restrictions

No person holding an appointment as an election officer under 54:11 shall be appointed as custodian of voting machines. 51:11 applies to the appointment of election officers in cities. However, it is suggested that election officers in towns not be appointed as custodians of voting machines since they are usually busy with other necessary work on election day and they are required to observe a custodian while he is working on a machine.

No person shall be appointed or act as a custodian of voting machines where he is a candidate for election, nor shall he be permitted to perform any work in advance upon a voting machine to be used in the precinct in which he is a candidate. He would, however, be able to act as a custodian and prepare voting machines for those precincts in which his name does not appear on the ballot.

e. term of office

The term of office is not specified in 54:30A. A voting machine custodian may be appointed for a term of one or more years, but his term should not expire after your own term of office does. Should you not be re-elected or reappointed, your successor has the right to appoint voting machine custodians of his choice.

f. duties [54:30A, Regs. 52.01(6), 52.03(14)]

Voting machine custodians perform all of their duties under the supervision of the town clerk. They assist in the preparation and upkeep of the voting machines, and instruct the election officers in the use of the machines. They make repairs and adjustments on voting machines during an election when requested by the warden or town clerk and, for this purpose, may enter within the guard rails in any polling place.

g. training

Training programs for voting machine custodians are available from the manufacturer. Contact the manufacturer for details concerning these programs.

However, formal training is not required. A voting machine custodian's manual containing instructions and pictures showing how to prepare a machine is provided by the manufacturer when voting machines are purchased. Help with training may also be available from the custodians of another voting machine town. If you should need such help, contact the clerk of the other town well before an election.

It is essential that you allow sufficient time for training so that your custodians will be thoroughly familiar with voting machine operation before they may be called upon to make adjustments or repairs under the pressure of an election day.

H. VOTING MACHINE PREPARATION

Voting machines need to be prepared before each election, primary or preliminary to accommodate the specific ballot to be used. This preparation is commonly called "programming" although programming a voting machine is a mechanical procedure and is quite different from programming a computer.

1. Schedule

Contact the voting machine custodians several weeks before an election to determine which of them can work and to establish the schedule for preparation. Provide enough leeway in the schedule to accommodate testing procedures and problems with preparation, such as broken curtain wires, sticking platens, time consuming adjustments required because of a large number of candidates on the ballot, etc. The preparation must be completed in time to allow the machines to be moved to and properly arranged in the polling places by the day before an election at the latest.

Programming for a given election cannot begin until you know what offices and how many candidates for each office will appear on the ballot.

For a town election, the number of candidates for each office may not be definitely known until 25 days prior to the election, the day following the deadline for candidate withdrawal (unless your charter, special act or the board of selectmen has established a different deadline under 54:103P). As soon as you have sufficient information, a chart can be prepared showing the number of columns required for each office. This chart may be used by the custodians to begin programming the machines even though the ballot labels will not be available until some time thereafter. (see sample chart, page 142)

Prior to state elections and primaries, the Elections Division will prepare and forward to town clerks having voting machines a chart showing the columns and rows required for the coming election or primary. Machine programming can begin as soon as you receive this chart. (see sample chart page 143)

Even though programming cannot begin until a chart is prepared, you may have the custodians start preparation much earlier. The ballot labels may be removed from the front of the machines, the pins and compensators may be removed from the back of the machines and the machines tested. This work can be started anytime after the machines can be unsealed following an election. (see AFTER ELECTION DAY in Volume 4 of this series)

However, such early preparation is usually not practical unless machines are kept in a central storage area having enough room to work on the machines without moving them out into a hallway or an adjoining room.

Voting machines preparation cannot be completed until after the ballot labels are received from the printer. Usually these are not received until about 1-2 weeks before the election.

2. Materials Needed

The following materials will be needed during voting machine preparation in addition to the equipment and material listed on pages 90-92 and sufficient supplies should be on hand well before the election.

- printer packs, if used. Printer packs are available from the manufacturer and other commercial suppliers in a variety of widths. You do not need to use packs containing more columns than will actually be used by the ballot for a given election. Packs containing the minimum number of columns required are easier for the tellers to count.

  Each pack contains a cover sheet, a proof sheet and up to 5 copies of the return sheet on which the votes are recorded. In some towns, packs with the smallest number of sheets are obtained since these are less expensive. In most towns, packs containing not more than 3 returns are used, one for the tellers counting votes, one to be posted at the polls on election night, and one for reference at the town clerk's office after the election.

- metal seals to be used to seal the voting machines after preparation has been completed. These are available from the manufacturer or other commercial supplier and are an aluminum strip with a stamped number. On some machines, they are inserted into the slot in the entrance button of the machine. On other machines, the seal is inside the front doors. At least one seal for each voting machine to be used at that election will be needed and a supply of extra seals should be available in case one or more are damaged during voting machine preparation.

- package #7 (four key envelopes). The outside manila envelope contains a form to be completed by the voting machine custodians who enter the machine number, the precinct number and location, the public counter number and the metal seal number after the machine has been prepared. The machine keys to be used by the election officers are sealed in these envelopes. Each package #7 contains 3 inner envelopes, one in which to keep the keys during the election, one in which to seal the keys after the votes have been counted and the third which contains the metal seal to be used by the election officers to seal the machine after the polls close. One package #7 is needed for each machine and a supply of extra packages should be on hand for machine preparation. (see sample envelopes on pages 144 and 145)

  Note: You may have machine key envelopes of your own design printed rather than purchasing the #7 packages provided there are spaces in which to enter the required information on both the outer envelope and the envelope in which keys are returned to the town clerk after the election. In this case, you will need to supply the election officers with one metal seal for each machine so that they can seal the machines on election night.

- write-in paper rolls. Each new voting machine is equipped with a write-in paper roll located behind the top door on the back. During machine preparation, the write-in paper roll should be checked by the custodians and replaced if necessary. It is far better to waste a little paper by replacing a roll before it is empty than to shut down a machine for this purpose during election day.

  It is suggested that a supply of extra paper rolls be kept on hand. Paper rolls are available in two different lengths. You will need to check the machine numbers to obtain the correct rolls. The custodians should also take care to install the correct length in each machine. The difference in length is not obvious, but is sufficient to cause the paper roll to bind if the wrong one is installed.

- paper roll stickers (gummed labels) on which the machine number, the date of the election and a custodian's signature is to be entered. (see sample on page 146) These stickers may be purchased in blocks of 100. One sticker for each machine will be needed and some extras should be on hand for each election. However, stickers are not required. The voting machine custodian may simply draw a line across the paper on the lower roller and at the left end, enter the machine number, the date of the election, and his signature.

- plastic ballot label covers. It is also suggested that extra plastic ballot covers be available for machine preparation. These get scratched easily and the small supply provided with each machine is quickly used up.

- clear plastic tape to be used to tape the ballot labels in place. It is suggested that the invisible type not more than 1/2" wide be used. Wider tape does not easily fit in the candidate label row on the machine.

- black lead pencils and string. One black lead pencil should be tied inside the machine on the left front for write-in voting. It is suggested that the string be only long enough to reach the first several write-in slots. If too long, voters may drop the pencil down the opening provided for the large red handle and jam the machine. If the voter wants to write in toward the end of the ballot, he can take the pencil off the hook. It is suggested that the pencil be installed even though no write-in voting is expected. During machine preparation, each pencil already in a machine should be checked and sharpened or replaced if necessary.

- plastic cleaner and cloth to be used to clean the plastic ballot label covers. These covers should be checked during the preparation and cleaned if necessary. The cleaner can also be used for the metal on the machine and the covers on rows not being used.

3. Procedures

The steps to be taken in preparing a voting machine are outlined in the manufacturer's manual and other literature and will not be repeated in this manual. However, the following additional information may be helpful.

- custodians work in teams of two

It is certainly possible for one person to prepare a voting machine and complete all required steps by himself and in some towns, only one custodian is appointed or the town clerk prepares all the machines. However, considerable time can be saved if two custodians work together.

One custodian can work on the back of the machine installing the pins and compensators while the other custodian is removing the old ballot labels and inserting the new ones. Also, testing the machine involves voting several times and this procedure can be completed more quickly if one custodian pushes the entrance button while the other votes the required number of times.

In addition, to insure that the machine is properly prepared, the work of one custodian should be checked by the other. This procedure will usually avoid problems on election morning when time is very limited, such as ballot labels of the wrong precinct on a machine, missing lockout covers, lockout covers installed over the wrong candidate pointers, incorrect numbers entered on the key envelopes, etc.

It is important that the front of the machines be checked since that is what the voter will be using on election day. Be sure that the ballot labels are properly aligned and taped so that they will not slide when the machines are moved, that they are clean and can be easily read. Check the plastic label covers to be certain that scratches do not make any of the printing difficult to read. Check to be sure that all instructions to voters have been installed. (see - instructions/information in machines on page 102)

- write-in paper

There is a set of two slots on the lower write-in paper roller in which to insert the paper. Cut the end of the paper leaving a narrow tab in the center. Be certain that the tab inserted in the roller slots is long enough to wrap around the roller at least twice. Otherwise, the paper may pull out of the roller when the machine is operated and will have to be re-installed during the election. (see diagrams on page 147)

In some towns, the write-in paper is cut in a truncated V instead of a tab. The end of the paper is then securely taped on the lower roller. This procedure is less time consuming and usually prevents the paper from being pulled loose when the machine is operated.

- testing machines

It some towns, each candidate counter is test voted at least 11 times during preparation and at least three additional votes are cast for each candidate on the ballot during the testing procedures.

It is suggested that each machine be tested by going through the actual voting procedure even if the number of test votes outlined above are not cast. Test the candidate pointers by voting for the appropriate number under each office. Be sure to leave the pointers down as you proceed down the ballot. The first few pointers may work easily, but the pointers toward the end of the ballot are sometimes very difficult to move. Adjustments are often needed when there is a large number of candidates for one office or toward the end of the ballot. It is essential that all candidate pointers move easily on election day.

In addition, all candidate pointers should be tested to be sure that it is not possible to vote for more than the appropriate number for each office. For example, after pushing down the appropriate number of candidate pointers under each office, try to push down all other pointers under that office. Under offices for which more than one candidate can be nominated or elected, check to be sure all combinations of candidate pointers can be used to vote for the permitted number, but no more.

The write-in slots and paper roll should also be tested. If one is to be elected to an office, push up one slot cover for that office. If two may be elected to an office push up two slot covers for that office to be certain that the correct number of slots can be opened. Check the candidate pointers under each office to be certain that none can be pushed down. However, if two may be elected, also push up only one slot cover and check to be sure that one candidate pointer for that office can be pushed down. Repeat the process several times checking the paper roll on the back of the machine to be certain that it moves each time the large red handle is pushed back to the left.

- custodians' certification

In some towns, the voting machine custodians who prepared and checked the machine sign or initial the back of the manila key envelope. In other towns, the voting machine custodians are required to complete and sign a certificate form after each machine is prepared. The certificate is returned to the town clerk and kept on file at least as long as the machines must remain sealed after the election. Also, a member of each politicial party is sometimes appointed by the appropriate town committee chairman to observe the voting machine preparation. These party representatives check the protective counter, the public counter and the seal numbers and also sign the certificate. (see sample certificate on page 148)

By using the certificate or having the key envelope initialed, the custodians who prepared each machine will be known. A problem occurring on a particular machine on election day can then be discussed directly with the custodian who prepared it.

- instructions/information in machines

A common problem, even in towns which have used voting machines for a number of years, is that a voter opens the curtains to ask for assistance or to report difficulty in voting. This registers the votes he has already cast and he cannot be allowed to continue voting even though he may have voted for only one office.

To minimize the frequency of this problem, it is suggested that a notice to voters in large typed or printed letters be taped in each voting machine in the center directly under the candidate ballot label.

SAMPLE NOTICE

CAUTION: IF YOU NEED HELP, PUSH THE CURTAINS ASIDE WITH YOUR HAND AND CALL AN ELECTION OFFICER. DO NOT USE THE LARGE RED HANDLE TO OPEN CURTAINS.

Underline the word "caution" in red. The notice will usually last for many elections if it is laminated in plastic. If the town offices do not have the equipment for laminating, check with your school department.

Instructions for write-in voting may also be prepared and taped in the machines where voters will see them. A good location is just above the write-in slots or on the inside of the door to the left.

SAMPLE WRITE-IN INSTRUCTIONS

TO VOTE BY WRITE-IN: LIFT THE COVER OF A SLOT HAVING THE SAME NUMBER AS THE OFFICE FOR WHICH YOU WISH TO VOTE. WRITE THE NAME AND ADDRESS OF YOUR CANDIDATE ON THE RECTANGLE OF PAPER UNDER THE SLOT COVER. PENCIL PROVIDED AT LEFT.
CAUTION: DO NOT PUSH UP A SLOT COVER UNLESS YOU INTEND TO VOTE BY WRITE-IN. BE CAREFUL YOU DO NOT ACCIDENTALLY PUSH UP A SLOT COVER WITH THE SIDE OF YOUR HAND OR YOUR SLEEVE.

Note: In some towns, a card of instruction prepared by the state secretary is taped in each machine. In this case, separate write-in instructions as shown in the sample may not be needed.

While no longer required by 54:65, posting a copy of each ballot question in each marking compartment, may assist the voters who have difficulty in reading the questions on the machines. It is suggested that the text of each question and summary as it appears on the ballot be typed in large letters and taped inside the machine on the door at the left. Add at the top of the questions the following:

TO VOTE FOR A QUESTION, USE THE POINTER ABOVE YES OR NO ON THE YELLOW STRIP IN FRONT OF YOU. DO NOT WRITE ON THIS PAPER.

Do not type "Yes" and "No" on the posted copy since some voters will think checking or circling the answer on the copy will cast their votes.

- card for vote record

In some towns, a card is taped to the end of the machine near the outside public counter. If the public counter does not register 000 before the polls open, the number is recorded on the card. Also, if votes need to be subtracted from the public counter during the election because of machine failure, etc., these votes are also recorded on the card. Using such a record, the election officers will quickly know how many to subtract from the total number of votes before recording it during the vote count on election night.

- specimen ballot [Regs. 56.02(6)(c)]

To comply with the accessibility requirements, a specimen ballot must be placed in at least one machine at each polling place, at a height no greater than 48 inches. In primaries, the specimen ballot must be placed in at least one Democratic machine and at least one Republican machine if separate machines are used for each party. The specimen ballot may be taped in the machine by the custodians during preparation. If it is too wide to fit on the inside of the front door, it may be placed over the row covers installed on rows not being used or on the panel below the large red handle.

I. VOTING MACHINE INSTRUCTIONS

1. Mechanical Model of Voting Machine

On election day, a mechanical model of the voting machine must be placed outside the guard rail for use in instructing voters. [54:35] A mechanical model is provided for each machine by the manufacturer with printed ballot labels already installed.

No preparation is necessary except for presidential primaries when group voting for town committee candidates may be permitted. In that case, remove the cover on the party group lever at the left of the model.

It is suggested that the model be used with the labels provided by the manufacturer. Do not substitute a label prepared for the primary or election since only a short section will fit in the model. Candidates whose names do not appear on the model may well complain that unfair advantage is being given to the candidates whose names do appear. In addition, those instructing voters may inadvertently indicate a preference for a candidate while demonstrating the model.

2. Public Exhibition of Voting Machine [54:35]

Before every election and primary, at least one voting machine must be placed on public exhibition for the purpose of giving instructions in its use. The exhibited machine must be equipped with ballot labels as nearly as practicable as those to be used on the machine at the primary or election. The small model voting machine used for instructing voters on election day may not be used for the public exhibition.

If you have an extra voting machine not ordinarily needed for use at a polling place, it may be prepared for the public exhibition prior to each election. If this machine can be available for instruction during regular office hours in a central location such as the town hall, a separate exhibition is not needed.

However, in most towns, an extra voting machine is not available. One of the machines later to be used in the election will have to be used for instructions. Schedule the date for the exhibition a few days after machine preparation begins to allow time for it to be programmed and the election or primary ballot to be installed. The preparation of this machine cannot be completed until after the public exhibition.

The General Laws do not require that a voting machine be exhibited in each precinct of the town. However, if your town is voting by machine for the first time, probably a large number of voters will appear for instruction and an exhibition in more than one location may be needed. After a few years of voting by machine, probably not more than one or two voters will appear for instruction.

The General Laws do not specify who is to instruct the voters at the exhibition. Instructions may be given by a custodian of voting machines, an election officer, by you or one of your employees, or by anyone else familiar with machine operation.

It is suggested that you conduct the exhibition during the evening and that you announce the date, time and place in the local newspapers, and request the local radio or community TV station to give a public service announcement of the event.

J. SCHOOL USE OF VOTING MACHINES

If a polling place is located in a school, the principal may ask that a voting machine be set up to allow the students to participate in a mock election. Usually such requests made before a November election can be granted without adding a great deal of extra work to the election preparation, and may help to reduce or eliminate complaints from teachers and parents who believe that the use of the school for voting disrupts the students' schedule.

If you hold the public exhibition of the voting machine at the school, the same machine can be used. Usually the students are most interested in voting for president or governor depending upon the election to be held. To minimize the time required for students to vote, it is suggested that all candidate pointers except president or governor be covered. Usually the mock election can be completed in one day or at the most, two days and you do not need to be present. Teachers can be instructed in how to vote on the machine and can supervise the students. However, you or a voting machine custodian will probably have to remove the printer pack, or open the back of the machine if printer packs are not used, so that the principal can obtain the results.

K. PENALTY [56:51]

The penalty for tampering with or injuring, or attempting to tamper with or injure, a voting machine used or to be used in an election; preventing or attempting to prevent the correct operation of a voting machine; or for unlawful possession of voting machine keys is a fine of not less than $100.00 nor more than $500.00 or imprisonment for not less than 2 1/2 years nor more than 5 years, or both.

L. ELECTRONIC VOTING SYSTEMS

Electronic voting systems may require the voter to vote by punching holes in a data processing card or by marking a paper ballot with special ink or in a special manner. Marking shelves are required for use with electronic voting systems as follows:

1. Number Required

   a. at elections [54:25; 1985:653]

   If the electronic system used requires a special marking unit, not less than one unit for every 125 voters must be supplied in each polling place. In the Datavote system, the special marking unit is called a ballot punch. In other punch card systems, the special marking unit is called a vote recorder. For a November election, more than the minimum number of marking units may be needed in each polling place to prevent long waiting lines.

   If the system requires that a paper ballot be marked using a special ink, the requirements for marking shelves are the same as for other paper ballots, one shelf for each 75 voters and at least 3 in each precinct.

   b. at primaries [54:33]

   At primaries, except where Datavote is used, separate marking units must be provided for punch card voting for marking the ballots of each party since the official ballot booklets for both parties cannot be installed in the same unit. See G. 1. b. on page 88 for items to be considered in determining how many units to provide for each party.

   A notice of the number of marking units for each party must be sent to the Elections Division, One Ashburton Place, Room 1705, Boston 02108 at least 90 days before state and presidential primaries. The Elections Division will send you a request for this information before the 90 day deadline.

   For the Datavote system, the same ballot punch can be used for both parties. If the system involves using special ink on a paper ballot, separate marking units would not be necessary since a different ballot would be provided for each party.

2. Specifications [54:33; Regs. 50.02, 56.02(5)(a)]

Electronic voting systems shall provide convenient and simple means of voting and of ascertaining and recording the results thereof easily and accurately. Special regard must be given to preventing and detecting double voting or voting for candidates of more than one political party in a primary. The system must secure to the voter as much secrecy in voting as is afforded by the use of the official paper ballot. [54:33; Regs. 50.02]

To comply with the accessibility regulations, at least one marking shelf in each polling place must provide clear space under the shelf not less than 30 inches wide and not more than 32 inches in height to the top of the shelf, with at least 27 inches clear to the underside of the shelf. In primaries, one such marking shelf for each party must be provided, except where the Datavote system is used or where paper ballots are marked with a special ink. [Regs. 56.02(5)(a)]

Note: If necessary to comply with the accessibility regulations, the marking unit or ballot punch, can be moved out of the voting booth and placed on a table of the correct height and having the appropriate clear space underneath. In this case, the table should have appropriate shielding to provide privacy for the voter. (see C. 2. and 3. on page 84)

3. Additional Equipment or Material Required [54:33F; Regs. 55.02, 55.03, 55.05]

Additional equipment and material is required for electronic voting systems.

a. computer at tabulation center

Electronic voting systems require the use of some kind of computer to tabulate the votes. No later than one week prior to the primary, preliminary or election, the town clerk must designate a tabulation center or centers. [54:33F; Regs. 55.03] Once designated, the tabulation center does not need to be redesignated unless a change is made.

In some towns, each polling place is designated as a tabulation center and in this case, a computer commonly called a precinct ballot counter, must be available in each precinct.

In other towns, a central tabulation center is designated. This center may be in the town hall, the building or room in which the town computer is located, or arrangements may be made with a private business or industry for the use of its computer for tabulating votes on election night. A central tabulation center may be in any community in the Commonwealth, but it must be no greater than 50 miles from the town in which the election was conducted. [54:33F]

Some town clerks send a notice to each candidate prior to each primary or election to inform them where ballots will be tabulated although such notice is not required by the General Laws or the Regulations.

b. computer program

Since the offices and the number of candidates for each office are different for each primary and election, a different program must be prepared prior to each.

The town clerk shall require that a program for the counting of votes, prepared by a suitably skilled technician, is in readiness for use in the computer or counting unit, no later than the 4th day prior to the primary, preliminary election or election. [54:33F; Regs. 55.02]

Note: Some town clerks program the ballot counters themselves. These counters require a set of programming cards. For state primaries and elections, the unpunched programming cards except for a Datavote system, are provided by the Elections Division. Instructions for punching the programming are also available from the Elections Division. Note that card #1 is the same for all elections and primaries and can be used repeatedly provided it is handled carefully and stored properly.

Punched Datavote programming cards are available from the vendor. However, if you have a keypunch, you may obtain unpunched programming cards and instructions from the vendor and punch the cards yourself.

c. test computer [54:33F; Regs. 55.05]

(1) test deck

A set of at least 50 ballots or punch cards must be prepared and so marked or punched as to adequately test the programmed computer. If votes are counted in the precinct, the computer for each precinct must be tested. The test must demonstrate the rejection of ballots or cards which contain more votes for any office than the voter is entitled to and to test any other contents of the program which, in the opinion of the town clerk, may have a bearing on the accuracy of the count. For primaries, a test deck must be prepared for each party. The test deck must contain at least the elements contained in a model prepared by the secretary of state. The program should be tested as soon as it is prepared, but not later than 4 days before the primary or election to allow time for any necessary adjustments.

If more than one ballot format is used in the election, each format must be tested using the proper program. That is, if the ballot is not the same in all precincts, a test deck must be prepared and tested for each different ballot.

For punch cards, prepare the test deck using cards taken from a block of ballots which will actually be used in the election, including some absentee punch card ballots, rather than from a supply which may have been left over from a previous election. This will avoid the possibility of obtaining erroneous test results due to slight differences in the cards. In some cases, the equipment on large computers may need to be adjusted to accept punch card ballots. (see information on test decks from the Elections Division)

Note: For the Datavote system, the cards to be used in the election must be used in the test deck since the code punches at the bottom of the card are different for each election. Only cards with the current election code punches can be counted once the ballot counter is programmed.

Number each ballot or card in the test. Add the word "test" and the date to eliminate the possibility of the test deck being counted in error on election night.

Instructions for preparing a punch card test deck are available from the Elections Division.

(2) tally sheet

A tally sheet should be prepared on which the votes marked on ballots or punched on the test cards should be entered. A block tally sheet, Form E-230, may be used and should be prepared the same as for the election. (see PREPARING ELECTION MATERIALS, II. TALLY SHEETS on page 183)

After punching the card or marking the ballot, enter the vote or blanks on the tally sheet in the column having the same number as the ballot. This will allow you to find the specific card or ballot which may have caused a problem during the test. If possible have one person mark the ballot or punch the card and another enter the vote on the tally sheet.

(3) compare printout and tally sheet

After the test, compare the results shown on the computer printout with the entries on the tally sheet. The number of votes for each candidate, the number of blanks and the total vote on the printout and the tally sheet should be the same. If not, first check the hand tally to be certain an error was not made in recording the votes and blanks or in calculating the totals. If this does not reconcile the hand tally with the printout, the program or the computer will need to be checked.

If the test is satisfactory, date and sign the computer printout.

(4) retain test material

Keep the test deck, tally sheet and computer printout(s) in the office safe for at least 30 days following the election. If the election is contested, the material should be kept until the contest is finally settled. (see 54:134) Note that for state primaries and elections, the test deck, tally sheet and computer printout(s) should be kept for 22 months although they do not need to be kept in the office safe for that length of time.

(5) forward copy to Elections Division

A copy of each test printout for state primaries and elections and presidential primaries must be dated and signed by the town clerk and forwarded, together with a copy of the hand count of ballots in the test deck, to the Elections Division, One Ashburton Place, Room 1705, Boston, 02108. Note that a copy of the test printout for each precinct ballot counter must be sent.

For town elections, a copy of the test printout and hand count of ballots may also be sent. In this case, forward a copy of the ballot as well. Filing this material with the Elections Division will help ensure the public that you have complied with the law.

d. marking implements [53:33E; Regs. 56.02(5)(a)]

The town clerk shall provide special marking implements, styluses, flourescent or opaque inks, in such quantity as to insure a sufficient supply through the entire election. [54:33E]

If paper ballots are to be marked with special ink, at least one pen containing such ink must be provided for each marking shelf. A supply of extra pens should be available in each precinct.

If punch cards other than Datavote are used, styluses for punching holes in the data processing cards are required for use on election day. A stylus is provided by the vendor with each special marking unit. It is suggestd that at least two extra styluses be available in each precinct.

Note that the handle of the stylus to be used with the handicapped accessible marking unit must be at least 1 1/4 inches thick and at least 3 inches long. [Regs. 56.02 (6)(b)]

Also, a stylus must be enclosed in the envelopes with each mailed absentee ballot. Absentee ballot styluses are available commercially. However, some town clerks reduce the election expense by providing absentee voters with a stylus made by cutting a large paper clip.

Note: For Datavote punch cards, a separate marking implement is not required. The implement for punching holes in the ballot card is built into the ballot punch. Absentee ballots can be voted by using a pencil to punch out the holes.

e. for punch card systems

(1) stacker trays [Regs. 55.08(6)]

If ballots are hand-fed into the computer, a stacker tray must be used to receive punch card ballots after being counted by the computer. This will permit a particular card to be identified and removed if it should cause a problem.

(2) light bulbs

If each marking unit or booth contains its own light bulb, extra bulbs should be available in each precinct so that burned out bulbs can be replaced on election day, if necessary.

(3) pencils

A pencil must be provided with each marking unit for write-in voting. [54:33E] Extra pencils should be available in each precinct.

f. for punch card system other than Datavote

(1) frames and fingers

Each special marking unit contains a plastic frame and fingers in which the official ballot booklet is installed. It is suggested that several extra sets be obtained in case a frame breaks or the fingers are bent during preparation.

(2) hardware

Pliers, a screw driver and wire for sealing the units are needed. In some towns, these items are provided in each precinct along with light bulbs and items needed to replace ballot booklets on election day.

4. Preparation of Marking Units

For the Datavote system, the marking unit (ballot punch) requires no special preparation before each primary or election. The unit is the same regardless of the offices or number of candidates.

For other punch card systems, at least the minimum number of required marking units must be prepared prior to each primary and electon. (see L.1. on page 106) In some towns, the units are prepared for each primary and election by the vendor. In other towns, they are prepared by the town clerk's office. No special personnel, similar to the custodians of voting machines, are required. You and your employees may prepare the marking units, or, if necessary, any other individuals may be hired for this work and funds should be included in the election budget for this purpose. These individuals do not need to be registered voters of the town. Volunteer help from civic organizations may be available.

a. schedule

If individuals not employed by your office are going to prepare the marking units, contact them several weeks before each election to determine their availability and to arrange the schedule. Provide enough leeway to accommodate testing procedures and problems with preparation. The preparation of each unit takes approximately 10-15 minutes for experienced personnel. However, if inexperienced help is being used, additional time should be allowed.

Preparation of the marking units can be started well before an election by removing the old ballot booklets. However, time can be saved by waiting until the new official ballot booklets are available about 2 weeks before the election. (see c. below)

b. materials needed

In addition to the items listed in 3. on pages 107-112, the following materials will be needed:

(1) yellow masks

A yellow mask with holes punched specifically related to the ballot to be installed will be needed for each marking unit. Several extra masks should be available for the preparation of extra frame and finger units. (see PREPARING ELECTION MATERIALS, I. BALLOTS on pages 153-161)

(2) mylar hinges

At least one hinge for each card in the official ballot booklet in each marking unit is needed. A supply of extra hinges should be available for every election.

Note: In some towns, two extra frame units for each precinct are prepared with the yellow mask and ballot booklet already installed so that election officers may simply remove the damaged or marked booklet in its frame and install the new one if necessary on election day.

c. procedures

The steps to be taken in preparing a marking unit are outlined in a pamphlet available from the vendor and will not be repeated in this manual. The following additional information may be helpful.

Attach a mylar hinge to each card in the ballot booklet. Then place the booklet on an extra set of metal fingers. Remove from the marking unit, the frame and fingers with the ballot booklet used in the previous election. Remove the fingers containing the ballot booklet and the yellow mask from the frame. Insert the new ballot on its fingers into the frame and add the new yellow mask. This procedure saves some time in preparation.

After the frame containing the new ballot booklet is installed in the unit, check to be certain that the cards are in order and right side up. Test each unit by inserting a ballot card and voting. Then seal the unit. In addition, the light bulb should be tested.

It is suggested that one person prepare the unit, and another check it after preparation to be certain that the ballot cards and yellow mask have been properly installed and that the frame has been properly sealed in the unit.

Note: In some punch card towns, an instruction card prepared by the state secretary, a card instructing the voter to check his ballot after voting, and a notice "Do Not Use Pen or Pencil for Punching Holes in Ballot Card" is taped on the inside wall of each marking compartment.

5. Preparing Demonstration Marking Unit

One or more demonstration marking units properly equipped for voting must be placed outside the guard rail at each polling place for instructing voters. [54:33E; Regs. 54.02(4)]

For the Datavote system, no preparation of the marking unit is needed. The first time the system is used, some of the ballot cards printed for the election may be used for demonstration, provided they have been clearly marked DEMO. CARD or DEMONSTRATION and care is taken to prevent their being counted by mistake with the cast ballots. After that, ballot cards left over from a previous election may be used for demonstration purposes.

In most towns using other punch card systems, the demonstration unit provided by the vendor containing a ballot booklet already installed is used and no special preparation is needed. If the demonstration unit prepared by the vendor is not used, however, it is recommended that the ballot booklet you install in the demonstration unit be different from that used in the primary or election being held to avoid the possibility of the person giving instructions inadvertently influencing the voters.

M. THE NATIONAL FLAG [54:25A]

The selectmen may vote to accept 54:25A. If so, the national flag must be displayed at every polling place during the hours when voting is taking place. The size or the location of the flag in the polling place is not specified in the General Laws.

IV. PREPARING THE POLLING PLACE FOR AN ELECTION

A. SCHEDULE

Contact the person in charge of the building well before the election to arrange the schedule for preparing the polling place. The schedule for arranging equipment and furniture will depend upon how many people are available to help, the amount of equipment and furniture needed and the number of polling places. All preparations should be completed not later than the evening before the election. Allow ample time in case there are problems or supplies such as hardware or light bulbs, etc. need to be purchased.

Also at this time, arrange for access to the polling place on election day. If voting takes place in the town hall, you will probably already have a key to the building. If voting takes place in a school, the school department may be willing to give you a key so that the school custodian will not need to arrive early to open the building. If voting takes place in the fire station, firefighters are in the building 24 hours a day, but you should be certain they know what time you or the warden will arrive.

However, if voting takes place in a private building, the owner should understand fully that you or the warden must be able to get into the building at a specific time on election morning. It is suggested that the telephone number of the person who is to unlock the building be obtained and given to the warden. If possible, obtain an alternate number to call in case of a problem.

B. ARRANGING EQUIPMENT AND FURNITURE

The arrangement of equipment and furniture within the polling place will depend upon the size and shape of the room to be used and must be tailored specifically for each polling place. A diagram showing a possible arrangement of a polling place appears in the Election Officers Handbooks prepared by the state secretary and this diagram may be used as a guide. Additional diagrams are included in this manual on pages 147-150.

1. General Laws & Regulations Requirements

There are several requirements of the General Laws which must be met in each polling place. Ballot boxes, paper ballot booths, special marking units and voting machines must be placed at least 6 feet inside the guard rails. In addition, the voting equipment and ballot boxes must be kept in view of the persons present in the polling place outside the guard rail. [54:25,66] The exterior of voting machines must be in plain view of the election officers during the time the polls are open. [54:33B]

In addition, the Regulations require that the voting booths, ballot boxes, voting machines, boxes with paper ballots or punch cards and gray write-in envelopes, the metal carrying case and the receptacles for voter authority slips must be in full view at all times. [Regs. 51.02(3), 52.02(3), 54.02(3)]

2. Voter Flow

The furniture and equipment should be arranged so that the path from the check-in table to the booths or machines and out again is as obvious and convenient as possible. Keeping the distance from the check-in table to the booths or machines as short as possible can make a significant difference in the length of waiting lines.

If the room has two doors, one may be used as the entrance and the other as the exit unless the second door would require voters to walk a long distance through or outside the building to get to their cars. Using the same door as both entrance and exit is usually not a problem if the doorway is wide enough to accommodate two-way voter traffic and waiting lines.

3. Tables

a. check-in tables

A table is needed for the election officers who are to mark the voting list and hand out ballots, punch cards or voter authority certificates at the entrance area. This table should be sturdy enough for writing and large enough to hold the voting list and a supply of ballots or voter authority certificates and to allow two election officers to sit comfortably. Large folding tables are suitable and are usually available at town hall or from the school department. If necessary, a large card table can be used provided it is stable.

If the voting list to be used in the polls has been divided, a check-in table will be needed for each section of the list.

The check-in table should be positioned so that voters will have to pass by it after entering the room before they can get to the booths or voting machines. If waiting lines are expected to form during the day, place the table far enough inside the door to allow maximum space for waiting voters. As few voters as possible should be required to wait in line outside the building.

b. check-out tables

If the town votes by paper ballot or punch cards, a table is needed for election officers at each check-out area near the ballot box. If there is more than one check-in table, the same number of check-out tables should be provided.

In voting machine towns, a check-out table is not needed since voters do not deposit a ballot in the ballot box unless the voter has been challenged.

The check-out tables do not need to be as large as the check-in tables since only the voting list will be needed at that table. However, there should be room for two election officers and it should be sturdy enough for writing.

If you have an exit door at the polls, place the check-out table so that the voters must pass by it before they can get to the door. Otherwise, the check-out table may be placed opposite the check-in table provided it is clearly marked to avoid voter confusion.

c. election supply table

One or more tables will be needed in each polling place on which to keep election supplies such as tally sheets, envelopes, extra pencils and equipment, etc.

The supply table should be placed inside the guard rail in a location which permits the warden and other election officers to use it and to observe it at all times but which is inaccessible to all other persons within or outside the guard rails.

d. model voting machine/demonstration unit table

In towns using voting machines or punch cards, a small table may be needed on which to place the model voting machine [54:35] or the demonstration marking unit [54:33E] unless there is enough room to place these on the check-in table.

This table should be placed outside the guard rails. If space is a problem, it may be placed in the lobby or hallway. In this case, it is suggested that the model machine or marking unit be tied to the table since it may not be under the constant observation of election officers. If possible, set up the model or demonstration marking unit in the place where it will be kept on election day.

e. candidates' poll checkers' table

Candidates' poll checkers or observers must be allowed in the polling place outside the guard rails to observe the election and make notes, unless they obstruct the voters' access. [Regs. 51.03(22), 52.03(18), 54.03(22)] Whether or not you provide a table for these people will depend upon the space and furniture available in the polling place.

If possible, place a table near the official check-in table so that candidates' poll checkers can easily hear the names and addresses of voters when announced. Try to position the table so that voters will not think it is the official check-in table. If it can be placed at right angle to the check-in table, it may also serve as part of the guard rail provided the checkers do not sit along the inside edge.

If there is not enough room for a table, the candidates' checkers or other observers may be allowed to sit or stand near the official check-in table as long as they do not block the voters' access.

f. other tables

After the polls close, a table will be needed by each team of two election officers counting the ballots. The number of tables needed will depend upon the type of voting system used. Some of the tables in use during the day can be used by counting teams. However, usually the check-in and check-out tables are needed by the election officers who count the names marked on the voting lists and these tables may not be available until after the lists have been counted.

In punch card towns, a table will be needed for election officers who examine and sort the punch card ballots after they have been removed from the ballot box.

In some towns, party change cards are placed on a table in the hallway or lobby rather than on the check-out table. If so, the model voting machine or marking unit is sometimes placed on the same table.

In some towns, civic, charitable or service organizations are permitted to sell coffee and donuts in the lobby at a polling place. Usually the organizations are asked to provide their own table and the town clerk specifies the maximum size and location depending upon the space available.

4. Chairs

During the time the polls are open, two chairs will be needed for each check-in and check-out table. It is suggested that, if possible, the election officers at these tables be provided with chairs having padded seats. Since they will usually be sitting for several hours, their comfort should be considered.

Additional chairs will be needed for election officers while they take a break and for the warden and clerk. A chair may also be needed at the table containing the model voting machine or demonstration marking unit, particularly if party change cards are also placed on this table.

In some towns, chairs are provided for candidates' poll checkers even though a table cannot be provided.

After the polls close, a chair will be needed for each election officer counting the ballots. Some of the chairs used during the day may be used by the ballot counters.

Exception: In towns having voting machines without printer packs, the election officer reading the votes from the candidate counters must stand. In punch card towns, the election officers at the computer usually stand.

In most towns, metal or wooden folding chairs usually available at the town hall or from the school department are used at elections. Sometimes there is a supply of folding chairs in the building in which the polls are located and arrangements can be made with the building owner or custodian for their use on election day.

If extra chairs are available, they may also be used as part of the guard rail.

5. Ballot Boxes

In paper ballot and punch card towns, a ballot box must be placed next to each check-out table in a position so that the handle can be easily reached by the election officer who is to crank in the ballot.

In voting machine towns, the ballot box to be used for absentee and challenged ballots may be placed in any convenient location at least six feet inside the guard rails and visible to persons both within and outside the rails.

6. Marking Shelves or Compartments

The booths for paper ballots or punch card marking units can be placed against the wall since space behind them is not needed. However, one row of booths should not be placed behind another since the back row would not be visible to the persons outside the guard rails. [54:25; Regs. 51.03(3), 54.02(3)] In addition, election officers may have difficulty in keeping track of the activity in the back row.

If voting machines are used, the one paper ballot booth required in each precinct may be placed in almost any convenient location at least six feet inside the guard rail. The booth may be used as part of the guard rail, as long as the front is in plain view of those outside. It may be used to keep voters from wandering behind the machines.

7. Voting Machines

Voting machines having printer packs may be placed along the walls of the room, but sufficient space should be provided behind the machines to allow election officers to open the top rear door to check the write-in paper and to remove the proof sheets on election morning without moving the machines.

If the machines do not have printer packs, additional space will be needed behind the machines to allow election officers to open the large center rear door to check the candidate counters on election morning.

After the polls close, the machines may be moved away from the wall if necessary to obtain the write-in paper and to read candidate counters. However, the vote count will proceed more quickly if the machines do not have to be moved at this time.

While it is possible to hand crank the machines up to the voting position, this process is time consuming and tiring. If possible, have the machines cranked up using the hoist drill at the time the polls are prepared. In this case, be sure that the polling place can be secured to prevent unauthorized persons from entering the room. It is relatively easy to pry open a door either on the front or back of the machine once it has been cranked up.

In any event, if the machines have printer packs, be certain that a hand crank is available in at least one machine. This crank will be needed by the election officers to remove the proof sheet on election morning. If more than one team of election officers is opening voting machines on election morning, each team will need a crank.

8. Clock

A wall clock in each polling place is not required, but is helpful to election officers and voters. It may be used as the official election clock for opening and closing the polls. Check to be sure the clock is set to the correct time or there may be numerous complaints from voters waiting on election morning or appearing at the polls shortly after they have closed.

9. Lighting and Electrical Outlets

All lights inside and outside the polling place should be checked before the election. This check should be made as early as possible on the day the polling place is being prepared to allow the building custodian to replace any burned out bulbs.

Also, the electrical outlets to be used for voting machines and marking unit light bulbs should be checked to be sure they are working. If snap-on plugs are used, each plug should be checked as well as the main wall outlet.

10. Telephone

If possible, the telephone in each polling place should be checked twice before election day by having someone at the polls call your office. The first check should be made several days before the election to allow time for any necessary repairs to the telephone line or unit. The second check should be made on the day before the election to be sure the telephone is still working properly. It is essential that the warden be able to call your office early on election morning so that any problems can be solved in time to open the polls.

If security is adequate, the telephone may be left in the polling place overnight. If not and the telephone is to be plugged into a jack or module, it can be packed in the box with other election material transmitted to the polls on election morning.

11. Wastebaskets

It is helpful to have at least two wastebaskets in each polling place. One should be inside the guard rails for the use of election officers who find campaign literature in voting booths or machines, for disposal of rubbish from snacks, coffee, etc. and in voting machine towns for disposal of the blank printer pack cover sheets. The other wastebasket may be placed just outside the voting room exit for the use of voters.

12. Coffee

If coffee, tea, snacks, etc. are provided for the election officers, it is suggested that the coffee pot and non-perishable snacks be placed in the polls the day before the election. The election officers will appreciate an early cup of coffee, particularly if they must arrive at the polls at 6 A.M. or earlier. In addition, election officers will not be distracted from the necessary preliminary work by concern over coffee.

C. MATERIALS

1. Sign to Announce Election Day

In some towns, sign boards strategically placed at one or more locations are used regularly to inform voters of town meetings, elections and other official or town sponsored events. In other towns, a large temporary sign is placed on the town common to inform voters of the elections. These signs usually contain the date of the election and the polling hours. If there is only one polling place, the location may be included. These signs are often in place for several days prior to and on election day.

SAMPLE SIGN

ANNUAL TOWN ELECTION
CENTRE SCHOOL
7 A.M. - 8 P.M.
MARCH 25th

2. Signs Outside Polling Place(s)

Outside signs should probably not be set in place until the morning of the election. They should, however, be available in the building near the entrance door so they can be easily placed in the proper location before the polls open.

a. identify polling place

Voters should be able to identify the polling place easily. In towns which regularly use only the town hall, the fire station or a school building, outside signs may not be needed. However, unless there is only one entrance to the building facing the street or driveway, the entrance to be used by voters may need to be marked. In some cases, a sign on the front of the building will be needed to direct voters to the proper door.

If the main entrance to the building is not accessible to physically disabled voters, signs must be provided to direct persons to the accessible entrance. [Regs. 56.02 (3)(a)]

In towns having precincts, identifying the building used as the precinct polling place is usually essential and in this case, the precinct number should be included on the sign.

If the building is located a distance from the street a sign may be needed at the driveway entrance.

SAMPLE OUTSIDE SIGNS

PRECINCT 2
VOTE HERE
7 A.M.-8 P.M.
←

PRECINCT 2
VOTE HERE
7 A.M.-8 P.M.
SIDE DOOR
←

PRECINCT 2
VOTE HERE
7 A.M.-8 P.M.
HANDICAPPED
ENTRANCE
→

The lettering on the sign should be large enough to be read easily from a car. If possible, the hours the polls are open should be included.

Since these signs will be outdoors, they should be made of material which can withstand the weather. The town building or highway department can probably make these signs and provide suitable stands for them.

b. handicapped parking [Regs. 56.02(2)(c)]

Handicapped parking spaces in a parking lot on the premises of a polling place must be identified by a sign at each space or pair of spaces. The signs shall be at a height of not less than 5 feet nor more than 8 feet to the top of the sign. The sign shall contain the International Symbol of Accessibility and may include wording to identify its use such as "HANDICAPPED PARKING." Check with your police or highway department to obtain appropriate signs.

c. traffic control

If the building being used is located a distance from the road, the traffic flow may need to be controlled, particularly for a November election. It is suggested that traffic flow be discussed with the police department well before the election. The town highway department can probably provide "one way," " exit only" or "entrance only" signs and temporary wooden horses to mark the entrance and exit on election day. It may also provide signs to direct voters to the parking area.

d. 150 foot boundary [54:65]

Marking the boundary line 150 feet from the building entrance door is not required by the General Laws and in some locations it may be impossible to do so. However, if markers can be placed, they will minimize voter complaints about candidates' workers or signs being too close to the polls. In addition, the police officer, who may have to enforce the law in this regard, will know exactly where the boundary is located.

The town engineering or highway department can probably determine and mark the boundary for you. It may be marked by red stakes if there is soil along the edges of the driveway entrance. If not, red tape may be placed on a lamp post, or red plastic ribbon can be tied to a fence. In some towns, the 150 foot boundary is marked all around the building, not just at the main entrance.

3. Signs Inside Building

Once inside the building, the voters should be able to find the voting room easily. The signs needed will depend upon the location of the room with respect to the building entrance door. These signs may be made of posterboard and may be lettered using commercially available stencils and felt markers. They should be large enough so that the voters will notice them and can read them from a distance. Using black lettering for most of the sign, with red letters to emphasize parts of it, makes a sign easier to read.

Posterboard signs can be used for many elections if they are carefully stored when not in use. Covering the corners of the signs with cloth tape will prevent damage when removing the masking tape used to attach the sign to the wall.

Inside signs can be set in place when the polls are being prepared unless they may be torn down by others using the building during the evening. Posting all the signs before election morning will save the election officers considerable time when they are busy with other necessary work.

a. directional signs

Unless the room used for voting is obvious upon entering the building, signs will be needed to direct the voters to the proper room. There should be enough signs so that voters do not wander around the building or need to ask where they vote.

SAMPLE SIGN FOR LOBBY
(Polls on two different floors of same building)

PCT 1 & PCT 2
<------ ------>
VOTE IN GYM
....

PCTS 3 & 4
VOTE
DOWNSTAIRS IN
CAFETERIA

ELEVATOR DOWN HALLWAY
--------->

An additional sign may be placed at the top of the stairway leading to the cafeteria.

SAMPLE SIGN AT STAIRWAY

PCTS 3 & 4
↓

Hallways used to get to the voting room should be clearly marked. For example, a sign with an arrow may be placed over the door to the hallway, or on the wall so that it will be visible.

SAMPLE OVERHEAD SIGN

VOTE AHEAD
↑

SAMPLE WALL SIGN

VOTE DOWN HALL --->

If the hallway turns, place a sign at each turn.

Also, signs with arrows should be posted to direct voters to the elevator, if necessary.

In the voting room itself, exit signs will be needed unless there is only one door and the exit is obvious.

Some voters tend to forget where they are after voting and will turn in circles trying to decide how to get out of the polls. Try to place exit signs, with arrows if necessary, where the voters will see them when they come out of the booth or voting machine.

b. instructional signs

If there is more than one check-in table, each table should be identified. If there is one check-in table for each precinct in towns voting by grouped precincts for example, a simple sign giving the precinct number can be used. If however, the voting list is divided among two or more tables, the sign should indicate which part of the voting list is at each table.

SAMPLE SIGNS FOR CHECK-IN TABLE

PCT 2	PCT 2 VOTERS CHECK IN HERE	STREETS A – M	NAMES A – M

While many voters will know what information is needed at the time they check in to vote, there are always some who forget or who are voting in your town for the first time. Signs telling the voters what to say at the check-in tables are helpful and can save time if lines have formed since the election officer will seldom need to ask.

SAMPLE SIGNS FOR CHECK-IN TABLE

GIVE STREET & NO. FIRST THEN NAME	GIVE NAME FIRST – THEN STREET & NO.

The lettering on these signs does not need to be as large as on those used in the lobby or hallway. Letters about 1" to 1 1/2" high are sufficient.

These signs may be placed on the check-in table. Fold a piece of poster board in half to form an inverted V. Letter one side and then stand it on the table. Tape both front and back to the table so the sign will remain in place. Or, the signs can be taped or stapled to poles attached to the table legs with clamps and will be high enough for all voters waiting in line to see.

In some towns, the table used by candidates' poll checkers is identified. Voters sometimes complain that they did not know which was the official check-in table.

For a primary, if the voting machines or marking units have the ballot of only one party, a sign showing the party name should be attached to each machine or unit. The parties can be abbreviated to "DEM" and "REP" if necessary.

c. no smoking

In many towns, several no smoking signs are posted in the voting room since smoking in a polling place is prohibited. [54:73]

d. party change cards (primaries only)

A sign should be placed on the table in the hallway or lobby used for party change cards. The sign may be posterboard folded in an inverted V and taped to the table on both sides.

SAMPLE PARTY CHANGE CARD SIGN

PARTY CHANGE CARDS

MAY BE COMPLETED AND SIGNED

AFTER VOTING

SIGN NAME AS REGISTERED

4. Precinct Maps and Indexes

In towns which vote by precincts, it is helpful to voters if one or more copies of the precinct maps are posted in each polling place. If possible, post these in the hallway or lobby so that voters can determine their precinct before entering the voting room. If a voter should find himself in the wrong precinct, the map will be readily available for him to determine where he should vote and how to get there.

A precinct index taped on the wall is also helpful to voters, particularly if the town is voting by precincts for the first time or has voted by precinct for only a few years. The index may be arranged either by precinct with the streets in the precinct listed alphabetically or by listing all streets in town alphabetically with the precinct number next to the street name. The locations of the precinct polling places may also be included in the index.

If the index consists of several pages, it can be posted as a pamphlet, or the pages separated and each taped on the wall in order. A sign "PRECINCT INDEX" can be taped directly above.

Note: In some towns, Boy or Girl Scouts or other youth or civic organization members volunteer to work at the polls helping voters find their correct precinct or waiting line.

5. Street Lists

For town elections in which write-in voting is expected, it is helpful to have a copy of the street list at or near each check-in table. Voters often ask for the names and addresses of write-in candidates so they can enter correct information on the ballot. Election officers should not give out write-in candidates' names and addresses since it is usually impossible for an election officer to know all the write-in candidates, particularly those who decided to run at the last minute. Election officers can, however, instruct voters in how to vote by write-in and direct them to the street lists so they can look up the information they need.

6. Instruction and Penalty Cards, Specimen Ballots

In some towns in which the polling place can be properly secured, the instruction and penalty cards and specimen ballots are posted the day before the election. This will save considerable time for the election officers on election morning. Be certain that at least the required number of each are posted in locations easily accessible to the voters inside the voting room but outside the guard rails and in the hallway or lobby. If a large voter turnout is expected, post more than the required number, if possible. (see ELECTION DAY, II. BEFORE THE POLLS OPEN, in Volume 4 of this series.

At least one specimen ballot in each polling place must be posted at a height no greater than 48 inches to accommodate handicapped voters. [Regs. 56.02(6)(a)]

Note: In some towns, instruction cards are posted inside each voting booth or marking compartment as well as on the walls.

7. Information for Voters

At November elections, the Information for Voters pamphlet prepared by the state secetary must be available in every polling place near the check-in area. There must be one pamphlet for every 100 voters. [54:65]

Additional information may also be available, such as the text of ballot questions in large type, extra copies of the flyer and answer cards, etc. (see PREPARING ELECTION MATERIAL, VI. MISCELLANEOUS B. 5. on pages 244-245)

This information may be placed in the voting room during preparation the day before the election.

8. Miscellaneous

Other material which may be helpful at the polling places includes the following:

a. in all towns

- a supply of extra pencils for marking ballots or for write-in voting if voting machines or punch cards are used
- extra string for tying pencils in booths or machines
- a pencil sharpener unless one is already available near the election officers' area. Pencil sharpeners which attach to a table with a suction cup are available, or hand held pencil sharpeners may be used
- extra rope for guard rails
- penknives or letter openers for opening absentee ballot envelopes
- stapler and, if absentee ballots are stapled to applications, a staple remover
- one or more adding machines
- one or more extension cords
- one or more copies of the Election Officers Handbook prepared by the state secretary

b. in voting machine towns

- extra light bulbs for voting machines
- electrical outlets for voting machines. These may be made out of several feet of ordinary lamp cord available at a hardware store. Attach snap-on plugs at intervals. Since the only electrical power required by the machines is for the light bulbs, many machines can be plugged into the same line without

overloading a circuit. Also, it is helpful to have extra snap-on and regular plugs handy at the poll

- heavy duty extension cord for use with the voting machine hoist drill

- extra spindles, boxes or other receptacles for voter authority certificates

- extra ballot labels and plastic covers, in case these need to be replaced on one or more machines during the election

- extra metal seals in case one is damaged when machines are sealed after the polls close

c. in punch card towns (except Datavote)

- extra styluses

- extra frames for marking units containing official ballot booklets

- screw driver, pliers and sealing wire (repair kit)

d. in all punch card towns

- extra light bulbs for marking units

- extra electrical outlets for marking units. See voting machine electrical outlets in b. above.

Note: If the Datavote ballot punch was purchased as part of a collapsible voting booth, each booth is equipped with an electrical outlet. The cord for the bulb from one unit may be plugged into the outlet in the next unit and only the last unit in the series needs to be plugged into the wall outlet.

SAMPLE

APPLICATION FOR POLLING PLACE EXEMPTION FROM ACCESSIBILITY REQUIREMENTS

1. City or town________________________ Ward____ Precinct______

2. Name and address of polling place________________________________

3. Trained person who studied this polling place for accessibility:

____
(NAME) (POSITION) (ADDRESS)

4. Names of any handicapped persons, organizations, or professionals consulted about accessibility of this polling place:

____

____

5. Features of polling place that make it inaccessible (see 950 CMR 56.02):

____

____

____

6. Modifications needed to make this polling place accessible:

____

____

7. Estimated cost of these modifications, and basis for this estimate (person consulted, etc.):

____

8. Have owners (including relevant government officials, if public building) been consulted about making these modifications? What was their their response?

____

____

9. Efforts made to locate another accessible building or one that can be made accessible (buildings considered, reasons for rejecting, etc):

____

____

10. Other comments for consideration by Secretary of State:

____

____

(over)

11. Percentage of city's or town's polling places which are accessible: ______

12. Plans to provide an accessible polling place for this precinct in the future:

____

____

13. All persons and agencies to whom notice of this application has been sent:

____

____

____

____

14. Filing of this application was approved by vote of (check one):
☐ City or Town Council ☐ Board of Selectmen
☐ Election Commission

on (date of meeting) ______________________________.

15. Contact for further information:

____
(name) (title) (daytime telephone)

16. I certify, under the penalties of perjury, that all information in this application is true, to the best of my knowledge and belief.

____
(Signature of presiding officer of City or Town Council, Board of Selectmen, or Election Commission)

Title: ______________________________

Date: ______________________________

This application must be received not later than March 20, 1986 by:

Director of Elections
Office of the Secretary of State
One Ashburton Place, Room 1705
Boston, MA 02108

(617) 727-2828
(800) 462-8683

SAMPLE

NOTICE OF APPLICATION FOR POLLING PLACE EXEMPTION OR VARIANCE FROM ACCESSIBILITY REQUIREMENTS

The (city) (town) of ______________________ is applying (check one or both):

to the Massachusetts Secretary of State for an exemption from the requirement of the federal Voting Accessibility for the Elderly Handicapped Act that the following polling place(s) be accessible for elderly and handicapped voters, because no accessible place is available, nor can a place be made temporarily accessible.

to the Massachusetts Architectural Barriers Board for a variance from the accessibility regulations for the following polling place(s), because although the polling place is actually accessible to elderly and handicapped voters, it does no technically comply with all regulations.

A copy of the application(s) is available for inspection and copying at:

____

If you wish, you may file a written response, no later than ________________________________(30 days after filing of application), by sending it to:

Director of Elections
Office of the Secretary of State
One Ashburton Place, Room 1705
Boston, MA 02108

For more information contact:

____
(name) (title) (address) (telephone)

or the state Elections Division at (617) 727-2828 or (800) 462-VOTE.

____
(Signature of presiding officer of City or Town Council, Board of Selectmen, or Election Commission)

Title:______________________________

Date:______________________________

[This notice must be posted on the principal city or town bulletin board, sent to all local news media, and mailed to the local Council on Aging, to any municipal handicapped office or commission, to the state Office of Handicapped Affairs (One Ashburton Place, Room 1305, Boston MA 02108), and to any additional organizations prescribed by the Director of Elections.]

Name and address, ward and precinct, of all polling places for which exemption or variance is sought (below or on other sheet):

VOTING ACCESSIBILITY CHECKLIST

Ward ____________
Precinct ____________
Location ____________
____

Note: This checklist is for the convenience of local officials, to use in studying all polling places to determine their accessibility for elderly and handicapped voters. It is for local use only, and should not be filed with the Secretary of State. If the answer to any question is no, you must make this polling place accessible, locate another accessible place, or apply for an exemption or variance. For details, see the regulations, 950 CMR 56.00, or contact the Elections Division, Office of the Secretary of State, One Ashburton Place, Room 1705, Boston, MA 02108, telephone (617) 727-2828 or (800) 462-VOTE.

YES NO

1. Site access.

____ ____ (a) Is the path of travel to the polling place from the parking lot (or if none, the street) clear, reasonably lit, and unobstructed?

____ ____ (b) Does this path have a continuous common surface, not interrupted by steps or abrupt changes in level greater than 1/2 inch?

2. Parking (applies only if a parking lot of at least 25 parking spaces is already on the premises of the polling place).

____ ____ (a) Is the required number of handicapped parking spaces provided? [see 950 CMR 56.02 (2)(a)]

____ ____ (b) Are the handicapped parking spaces either each 12 feet wide, or provided in pairs of 8-foot spaces separated by a 4-foot center aisle which is painted or striped yellow? Is the parking lot reasonable lit?

____ ____ (c) Are the handicapped spaces identified by a sign at each space or pair of spaces containing the International Symbol of Accessibility, and with the top of the sign between 5 and 8 feet high above ground?

____ ____ (d) If a sidewalk is provided at the handicapped parking spaces, is there a curb cut (sidewalk ramp), with a slope no greater than 1:12, at each space or pair of spaces?

3. Entrance.

____ ____ (a) Is at least one entrance to the building accessible?
____ ____ If the main entrance is not accessible, do signs direct persons to the accessible entrance?

____ ____ (b) Is the approach to the accessible entrance a paved walk or ramp with a non-slip surface, uninterrupted by steps? Is there a level space 60 inches from the door on both the exterior and interior sides?

____ ____ (c) Are doors at least 34 inches wide?

(over)

YES NO

4. Ramps.

____ ____ If the entrance has stairs, is there either a permanent or portable ramp? (A permanent ramp must have a slope no steeper than 1:12, a width of at least 36 inches, and handrails on both sides 34 inches high. A portable ramp must be as close to 1:12 as possible, and must be securely anchored.)

5. Building Interior.

____ ____ Do all interior doors, approaches, and ramps, necessary to obtain access to the polling place, comply with 3 and 4 above?

6. Voting equipment.

(a) All polls.

____ ____ Will a specimen ballot be posted on the wall no higher than 48 inches above the floor?

(b) Paper or punchcard ballots.

____ ____ Does at least one marking shelf (one for each party in a primary, for punchcard booklets) provide clear space under it at least 30 inches wide, at least 27 inches clear to the underside, and no more than 32 inches high to the top? For this shelf, is any punchcard stylus handle at least 1 1/4 inches thick and at least 3 inches long?

(c) Voting machines.

____ ____ Does at least one machine in each polling place have a specimen ballot posted inside, no higher than 48 inches?

____ ____ Are the voting levers no higher than 60 inches above the floor, or is a "reacher" available for the upper levers?

SAMPLE

The Commonwealth of Massachusetts

Department of Public Safety
ARCHITECTURAL BARRIERS BOARD
ONE ASHBURTON PLACE
ROOM 1301
BOSTON, MASSACHUSETTS 02108
TEL: (617) 727-3200

Agency Use Only
Docket No: ________
Received: ________
Action: ________
L.B.I. ________
L.H.C. ________
I.L.P. ________
____

APPLICATION FOR VARIANCE

In accordance with Massachusetts General Laws, Chapter 22, Section 13A, I hereby apply for modification of or substitution for the Rules and Regulations of the Architectural Barriers Board as they apply to the facility described below on the grounds that literal compliance with the Board's regulations is not practical in my case.

1. State the name and address of the owner of the facility: ________
________ Tel: ________
2. State the name and address or other identification of the facility:
____
3. Describe the facility: (number of floors, type of function, etc.):
____
____
4. Check the work performed or to be performed:

___New Construction ___Reconstruction ___Alteration

___Addition ___Remodeling ___Change of Use

5. Briefly describe the extent and nature of the work performed or to be performed: ________
____
____
6. Describe the nature of any change in the use of the facility:
____
7. State each section of the rules and regulations of the Architectural Barriers Board and each location within the facility as to which the facility does not now comply or is not expected to comply, and for which a variance is requested.

References are made to:
___1977 Regulations
___1982 Regulations

Section Number	Location within facility

(over)

APPLICATION FOR VARIANCE (cont'd)

7. For each variance requested, state in detail the reasons why compliance with the Board's regulations would not be practical. State the necessary cost of the work required to achieve compliance (Use additional sheets if necessary):______________________________

____

____

____

8. Has a building permit been issued for the work performed or to be performed? ___yes ___no

If yes, state the date on which the permit was issued and the estimated cost of construction: Date:_____________________________
Estimated cost of construction:____________________________________

9. Has a certificate of occupancy been issued for the facility?:______
Date:______________________

10. Have any other building permits relating to the same facility been issued during the previous 24 months? If so, state the issuance date and actual cost of the work for each:________________

____

11. State the total cost of the work to be performed:__________________

____

12. State the actual assessed valuation of the BUILDING ONLY AS RECORDED in the assessors' office of the municipality in which the building is located:__________________________. If the work is less than 25% of the assessed value of the building, attach a letter from the assessors' office indicating the assessed value as of the date of this application.

13. State the phase of design or construction of the facility as of the date of this application:_____________________________________

14. State the name and address of the architectural or engineering firm including the name of the individual architect or engineer, responsible for preparing drawings for the facility:______________

____

____TEL:____________

PLEASE NOTE: The board may, in its discretion, hold a hearing on your application for variance. The Board may also decide your application without a hearing, upon the information and documents you submit. You should, therefore, include all relevant information with your application. At minimum, the plans should include: a site plan, all floor plans, elevations, sections and details. Photographs are also very helpful.

DATE:____________________ SIGNATURE OF OWNER OR AUTHORIZED AGENT

____

PLEASE PRINT Owner/Agent's Name:

____

SAMPLE

The Commonwealth of Massachusetts

Department of Public Safety
ARCHITECTURAL BARRIERS BOARD
ONE ASHBURTON PLACE
ROOM 1301
BOSTON, MASSACHUSETTS 02108
TEL: (617) 727-3200

Dear Applicant:

Enclosed is an application form for variance from the Rules and Regulations of the Massachusetts Architectural Barriers Board.

1. In completing the form, you should be aware that the latest copy of the Regulations is dated APRIL 1, 1982. Copies of the April 1, 1982 Regulations are available at the State Book Store, Room 116, State House, Boston, MA 02133, or the Secretary of State's Office in Springfield.

2. Copies of the 1968, 1975, 1977 and 1982 Regulations are also available for public inspection at the Board's office during regular business hours.

3. You must request a variance as to every area of your facility and every section of the Board's regulations with which the facility does not now (and is not expected to) comply. Any violation of the Board regulations for which a variance is not granted may be subject to legal enforcement proceedings.

4. If there is not enough space on the application form to answer all questions completely, you may attach additional sheets. Four applications and attachments (original and copies) must be submitted to the Board.

5. The Board often finds it helpful to consult architectural drawings and photographs of the facility in reviewing variance applications. Please enclose copies of such drawings and photographs if necessary to make your request more clear.

6. If the work to be performed is less than 25% of the equalized assessed value of the building, you must submit a letter from the assessor's office indicating what the equalized assessed value of the BUILDING ONLY is as recorded in that office.

7. All applications for variances will be held for a two week period in order for the Board to receive additional input from the Building Department and the Local Commission on Handicapped Affairs.

You, your attorney or your architect may contact the Board's staff at (617) 727-3200 concerning any questions which may arise when completing this application.

VOTING EQUIPMENT IN MASSACHUSETTS

Lever Voting Machines

AVM - 40 Column

Agawam
Bourne
Burlington
East Bridgewater
Fairhaven
Granby
Great Barrington
Lanesborough
Norwell
Oxford
Plymouth
Southbridge
Sturbridge
Wilbraham
Wilmington

AVM - 50 Column

Amesbury
Amherst
Beckett
Bedford
Boston (Wds 12-20,22)
Brookline
Concord
Dartmouth
East Longmeadow
Everett
Greenfield
Holden
Holyoke
Lee
Lenox
Lexington
Melrose
Natick
Newton
Northbridge
Otis
Pittsfield
Springfield
Stoughton
Sudbury
Swampscott
Waltham
West Springfield
Winchester
Winthrop
Woburn

Shoup

Boston (Wds 1-11,21)
Malden (Shoup 2)

Punch card Voting Systems

Acton
Attleboro
Andover
Ashland
Auburn
Avon
Barnstable
Belchertown
Bellingham
Belmont
Beverly
Billerica
Blackstone
Bridgewater
Brewster
Brockton
Cambridge
Cohasset
Danvers
Dedham
Dennis
Dudley
Duxbury
Fitchburg
Franklin
Hanson
Hingham
Holbrook
Holliston
Hull
Lincoln
Longmeadow
Lowell
Ludlow
Lynn
Manchester
Medway
Needham
Newburyport
North Attleborough
Norwood
Orleans
Palmer
Plainville
Randolph
Reading
Rehoboth
Revere
Rockland
Salem
Salisbury
Saugus
Seekonk
Shrewsbury
South Hadley
Spencer
Stoneham
Swansea
Taunton
Wakefield
Watertown
Wayland
Webster
Wellesley
Weston
Weymouth
Whitman
Winchendon
Wrentham
Yarmouth

Datavote

Chelmsford
Dighton
Gardner
Gloucester
Kingston
Leominster
Medford
Methuen
Milton
Norton
Rutland
Westwood
Worcester

Votronics

Sharon

Note: The Votronics system is no longer available.

APPENDIX A

HOW TO DETERMINE THE NUMBER OF VOTING MACHINES NEEDED TO PREVENT LONG WAITING LINES

Presidential election: Polls open 6 A.M. - 8 P.M. (14 hours)

5,000 = estimated total number registered voters by October close of reg.
4,250 = estimated total number of ballots cast (85%)
250 = estimated total number absentee ballots
4,000 = estimated total number in person ballots

13 = Number of voting machines required by 54:25 (5,000 divided by 400 = 12.5)

AV. MIN. EACH VOTER	TOTAL HOURS REQUIRED FOR 4,000 VOTERS			
	13 VMs	14 VMs	15 VMs	16 VMs
2.0	10.2			
2.5	12.8	11.8	11.1	
* 3.0	15.4	14.3	13.3	12.5

* If voters take an average of 3 minutes to vote after entering a voting machine, at least 15 machines will be required to allow 4,000 voters to vote between 6 A.M. and 8 P.M. 15 machines = 1 for every 333 voters.

Total hours required to vote caculated as follows:

4,000 voters X 3 minutes = 12,000 minutes
12,000 minutes divided by 60 = 200 hours
200 hours divided by # VMs = Total # hours required to vote

The chart above indicates that if the average time required by each voter to cast his ballot after he has entered a machine can be reduced to 2.5 minutes or under, the 13 machines required by the General Laws will be adequate to accomodate an 85% voter turn out. (85% = average voter turnout of last few presidential elections. Check your election records for appropriate percentage to use.) There may be waiting lines at times during election day if a large number of voters arrive during a short period, such as 6 -8 P.M. when many voters vote on their way home from work. These lines can be reduced by publicity encouraging all voters who can to vote earlier.

See next page for information on how to estimate the average number of minutes a voter requires to cast his ballot.

AVERAGE MINUTES REQUIRED TO CAST A BALLOT

During a state election at which there are a number of ballot questions, such as the next November election, keep an hourly record of the number of votes on the public counters, as follows:

Hour	Total Vote (sum of numbers on public counters)	
7 A.M	#	Lines of varying lengths 6 - 12 A.M.
8 A.M.	#	Machine ballots cast = 1,670
9 A.M.	#	Av. minutes per voter = 2.8
10 A.M.	#	
11 A.M.	#	
12 A.M.	1,670	
1 P.M.	#	No lines 12 A.M. - 6 P.M.
2 P.M.	#	Do not enter these numbers in your calculations
3 P.M.	#	or av. minutes per voter will be inflated.
4 P.M.	#	
5 P.M.	#	
6 P.M.	3,007	Lines of varying lengths 6 - 8:30 P.M.
7 P.M.	#	Machine ballots cast = 609
8 P.M.	#	Av. minutes per voter = 3.2
* 8:30 P.M.	#	
TOTAL	3,616	(Machine ballots)

* Lines at 8 P.M.; all voters had finished voting by 8:30 P.M.

Overall Average minutes per voter = 3 (2.8 + 3.2 divided by 2)

Average minutes per voter calculated as follows:

6 - 12 A.M.: 6 hours X 60 minutes = 360 minutes
360 minutes X 13 machines = 4,680 machine minutes
4,680 divided by 1,670 voters = 2.8 minutes per voter

6 - 8:30 P.M.: 2.5 hours X 60 minutes = 150 minutes
150 minutes X 13 machines = 1,950 machine minutes
1,950 divide by 609 voters = 3.2 minutes per voter

Note: If the state election for you are estimating the number of machines needed has more questions on the ballot than the election for which time records were kept, increase number of minutes per voter accordingly. If fewer ballot questions, decrease number of minutes per voter.

SAMPLE

CHART SHOWING COLUMNS TO BE USED FOR TOWN ELECTION BALLOT

(VOTING MACHINES)

OFFICES	MODERATOR	SELECTMAN (ONE)			ASSESSOR (ONE)		CONSTABLE WRITE-IN	TAX COLLECTOR	TOWN CLERK	TREASURER	HIGHWAY SURVEYOR (ONE)		SCHOOL COMMITTEE (TWO)			
COLUMN #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
ROW A CANDIDATES	1	1	2	3	1	2	1	1	1	1	1	2	1	2	3	4

Unless it is obvious, as for Moderator, Tax Collector, etc. above, the voting machine custodians will need to know the number to be elected to each office. (one) and (two) indicate that number.

Under Constable, the word "write-in" has been added to let the custodians know that a lockout cover should be installed over candidate pointer number 7A since there is no candidate's name printed on the ballot for that office. If an office to which two persons can be elected will have no candidate's names printed on the ballot, enter "write-in" and "(two)" in the space for office title. Assign two columns.

The numbers written in row A indicate the number of candidates. For example, there is one candidate for Moderator, 3 candidates for Selectman, etc.

SAMPLE

CHART SHOWING COLUMNS TO BE USED FOR STATE ELECTION BALLOT

(VOTING MACHINES)

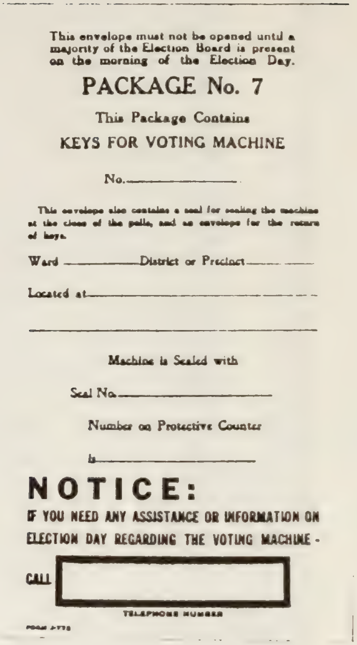
AVM-VOTING MACHINE LAYOUT FORM - WARD_

(Name of Town) OFFICES	PRES			U. S. SEN.		CONG. 4th		COUNC. 2nd	ST SEN. 1st MIDD & NORF	ST REP. 5th MIDD.	PROBATE MIDD	CO. COMM. MIDD (2)			TREAS. MIDD.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
A	1	2	3	1	2	1	2	1	1	1	1	1	2	3	1															
B																														
C																														
D																														
E																														
F																														
G																														
H																														
I																														

PACKAGE #7 OUTER ENVELOPE

MANILLA - 4" X 7 1/8"

Note: Envelope may be opened when one Democratic and one Republican election officer are present at the polls on election morning. [54:35]



This envelope must not be opened until a majority of the Election Board is present on the morning of the Election Day.

PACKAGE No. 7

This Package Contains

KEYS FOR VOTING MACHINE

No.________________

This envelope also contains a seal for sealing the machine at the close of the polls, and an envelope for the return of keys.

Ward __________ District or Precinct __________

Located at ______________________________

Machine is Sealed with

Seal No.________________

Number on Protective Counter

is ________________

NOTICE:

IF YOU NEED ANY ASSISTANCE OR INFORMATION ON ELECTION DAY REGARDING THE VOTING MACHINE -

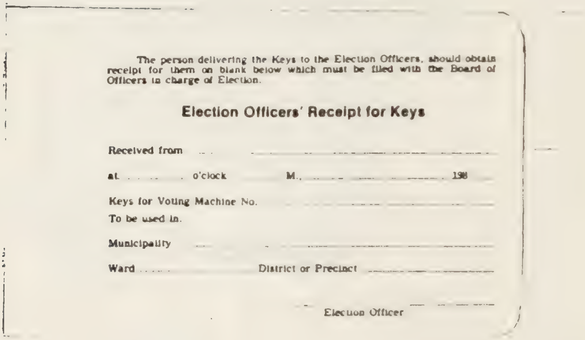
CALL ☐

TELEPHONE NUMBER

FORM [illegible]

BACK OF OUTER ENVELOPE SHOWING FLAP

COMPLETING RECEIPT ON FLAP IS OPTIONAL



The person delivering the Keys to the Election Officers, should obtain receipt for them on blank below which must be filed with the Board of Officers in charge of Election.

Election Officers' Receipt for Keys

Received from ________________________

at ______ o'clock ______ M., ____________ 198__

Keys for Voting Machine No. ____________

To be used in.

Municipality ____________________

Ward ______ District or Precinct __________

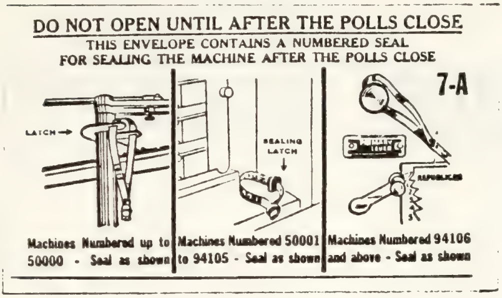
________________ Election Officer

ENVELOPES INCLUDED IN #7 PACKAGE

GRAY - 3 1/8" X 5 1/2"

Enclosing keys in 7-B envelope after opening machines is optional. Form on 7-C envelope must be completed by election officers after polls close. Keys to be sealed in 7-C envelope for return to town clerk.

Green Printing


LATCH
SEALING LATCH
REPUBLICAN

DO NOT OPEN UNTIL AFTER THE POLLS CLOSE

THIS ENVELOPE CONTAINS A NUMBERED SEAL
FOR SEALING THE MACHINE AFTER THE POLLS CLOSE

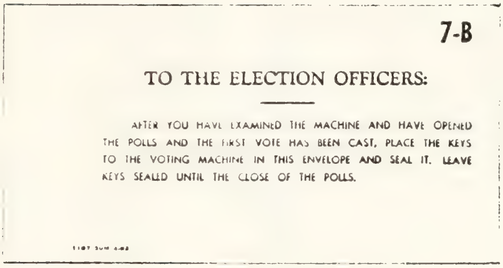
7-A

Machines Numbered up to 50000 - Seal as shown

Machines Numbered 50001 to 94105 - Seal as shown

Machines Numbered 94106 and above - Seal as shown

Red Printing

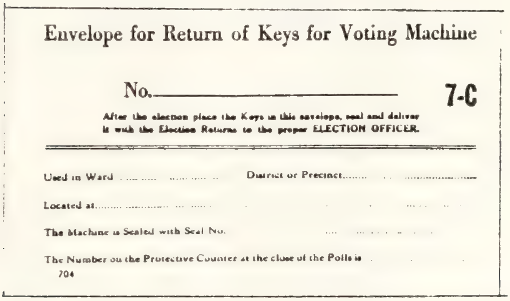


7-B

TO THE ELECTION OFFICERS:

AFTER YOU HAVE EXAMINED THE MACHINE AND HAVE OPENED THE POLLS AND THE FIRST VOTE HAS BEEN CAST, PLACE THE KEYS TO THE VOTING MACHINE IN THIS ENVELOPE AND SEAL IT. LEAVE KEYS SEALED UNTIL THE CLOSE OF THE POLLS.

Blue Printing



Envelope for Return of Keys for Voting Machine

No.____________________

7-C

After the election place the Keys in this envelope, seal and deliver it with the Election Returns to the proper ELECTION OFFICER.

Used in Ward .... District or Precinct ....

Located at ....

The Machine is Sealed with Seal No. ....

The Number on the Protective Counter at the close of the Polls is ....

704

SAMPLE

PAPER ROLL STICKER

White - Red Printing

9 1/4" X 1"

NOTICE

If this notice can still be seen after the polls are closed, do not touch the paper roll.

Machine No.____________________

Date

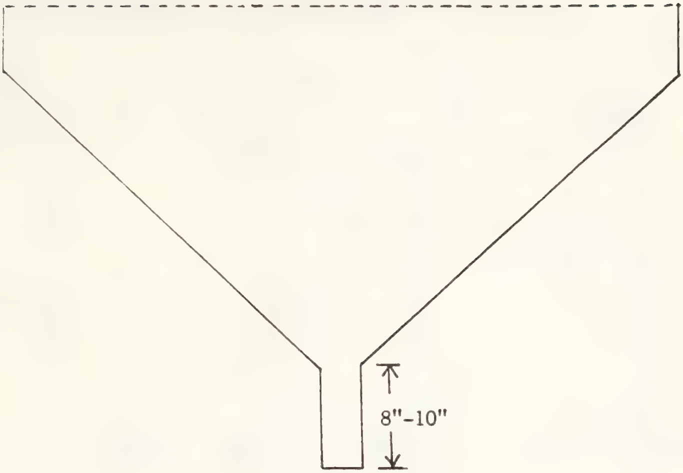
Signed____________________

SAMPLES

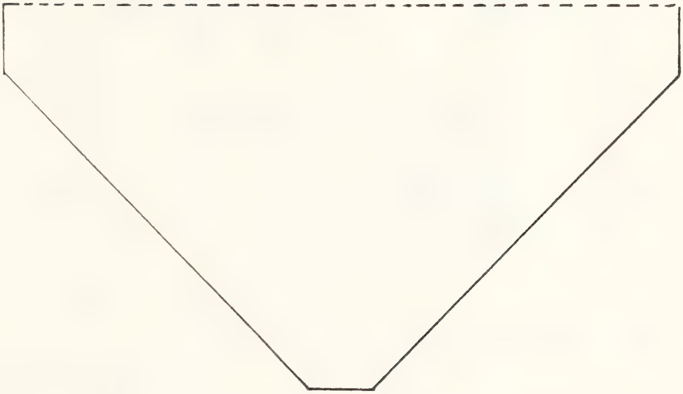
WRITE-IN PAPER

CUT FOR LOWER ROLLER

WITH TAB TO INSERT IN ROLLER SLOTS



TO BE TAPED TO ROLLER



SAMPLE VOTING MACHINE CUSTODIAN CERTIFICATE

Political Party Representation and Custodian Certificate

THE UNDERSIGNED HEREBY CERTIFY *that, having been duly appointed, we were present and witnessed the testing and/or preparation of the following Voting Machines; that we believe the same to be in proper condition for use in the election of..19..........*

that each Registering Counter of the Machine is set at 000; that the Public Counter is set at 000; that the Seal numbers and the Protective Counter numbers are as indicated below.

We hereby certify that the following machines have been properly prepared and tested and are ready for use in the election to be held..19..........

....*Republican Party Representative*

....*Democrat Party Representative*

....*Voting Machine Custodian*

Dated..*19*..........

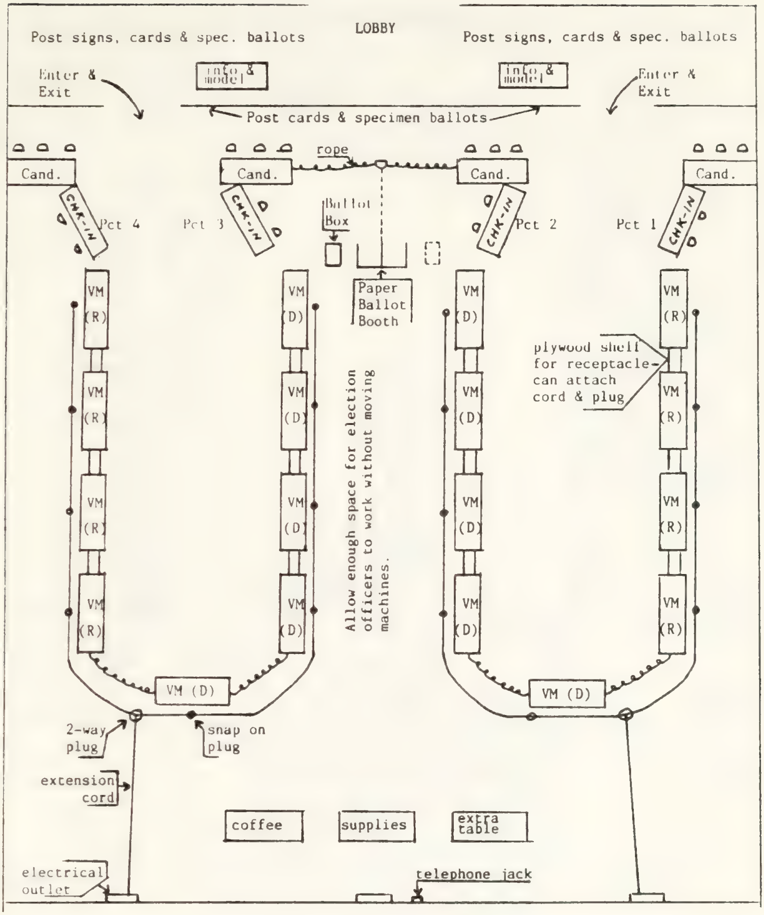
MACHINE NO.	Ward	Pct.	LOCATION	SEAL NO.	PROTECTIVE COUNTER NO.	REMARKS

(OVER)

SAMPLE

SCHOOL GYM USED AS POLLING PLACE

(GROUPED PRECINCTS)


LOBBY
Post signs, cards & spec. ballots
Post signs, cards & spec. ballots
Enter & Exit
Enter & Exit
info & model
info & model
Post cards & specimen ballots
rope
Cand.
Cand.
Cand.
Cand.
CHK-IN
CHK-IN
CHK-IN
CHK-IN
Pct 4
Pct 3
Pct 2
Pct 1
Ballot Box
Paper Ballot Booth
VM (R)
VM (D)
VM (D)
plywood shelf for receptacle-can attach cord & plug
Allow enough space for election officers to work without moving machines.
2-way plug
snap on plug
extension cord
coffee
supplies
extra table
electrical outlet
telephone jack

VM = voting machine: Similar arrangement can be used for paper ballot booths or punch card marking compartments

(D) & (R) indicate parties for a primary.
18 machines - up to 7,401 voters
Most school gyms can accomodate 24+ machines

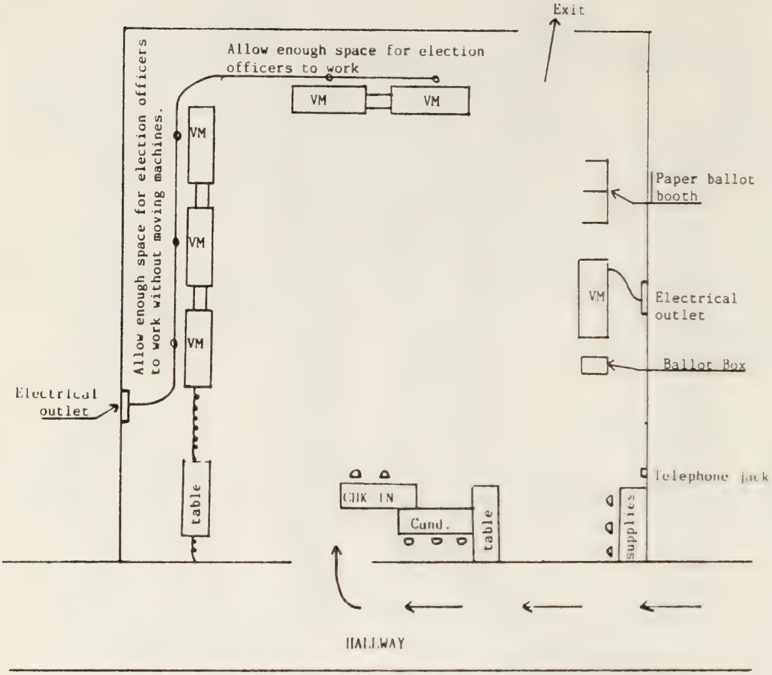
Similar arrangement can be used for a November election for 2 precincts voting separately. Place rope at dotted line above and add ballot box at right of paper ballot booth.

Party change cards on tables in lobby for primaries.

SAMPLE

SMALL ROOM USED FOR PRECINCT POLLING PLACE

VOTING MACHINES


Exit
Allow enough space for election officers to work
VM
VM
Allow enough space for election officers to work without moving machines.
VM
VM
VM
Paper ballot booth
VM
Electrical outlet
Ballot Box
Electrical outlet
table
Telephone jack
CHK IN
Cand.
table
supplies
HALLWAY

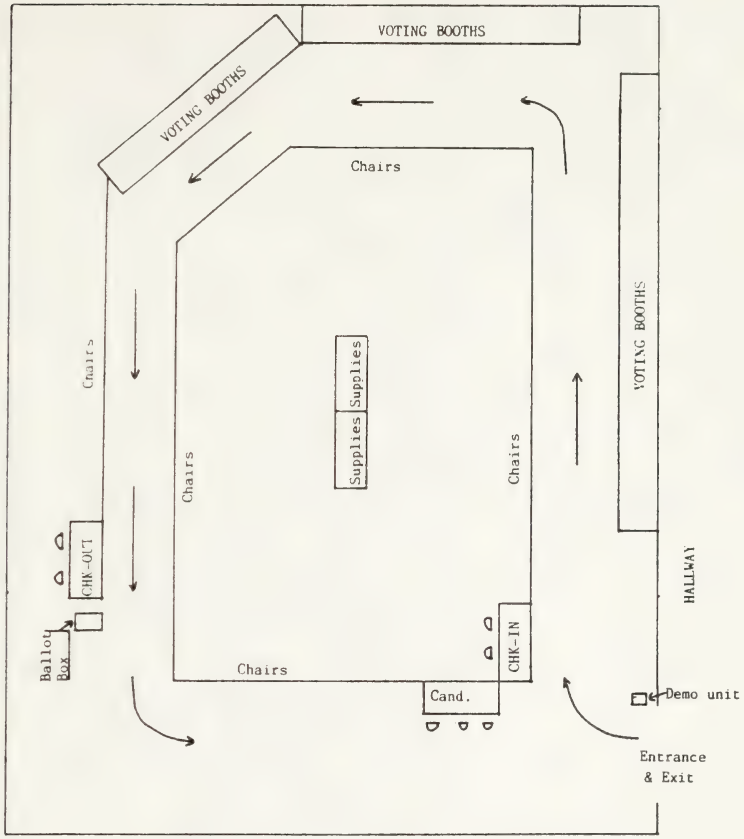
Post signs, instruction & penalty cards & specimen ballots in hallway and inside voting room door.

If necessary, enter & exit same door.

Add table for party change cards in primaries.

SAMPLE

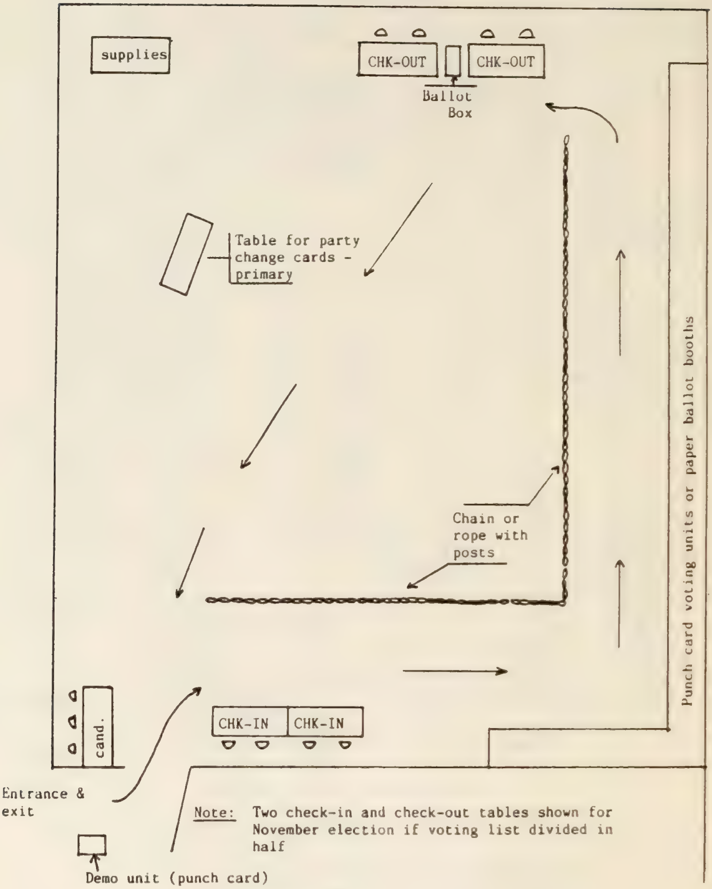
PAPER BALLOT OR PUNCH CARD POLLING PLACE


VOTING BOOTHS
VOTING BOOTHS
VOTING BOOTHS
Chairs
Chairs
Chairs
Chairs
Chairs
Supplies
Supplies
CHK-OUT
Ballot Box
CHK-IN
Cand.
HALLWAY
Demo unit
Entrance & Exit

Post signs, instruction & penalty cards & specimen ballots in hallway. Place sign at right end of cand. table "VOTE THIS WAY----"
Add party change card table for priomaries.

SAMPLE

PAPER BALLOT OR PUNCH CARD POLLING PLACE


supplies
CHK-OUT
CHK-OUT
Ballot Box
Table for party change cards - primary
Chain or rope with posts
Punch card voting units or paper ballot booths
cand.
CHK-IN
CHK-IN
Entrance & exit
Demo unit (punch card)

Note: Two check-in and check-out tables shown for November election if voting list divided in half

4
PREPARING ELECTION MATERIALS

I. BALLOTS

NOTES

The term "official ballot" is broadly defined in 50:1 as a ballot prepared for any primary, caucus or election by public authority and at public expense, and where voting machines are used shall include ballot labels. The term "official ballot" usually refers to the ballot on which votes are cast. However, it includes paper ballots, the ballot booklet, data processing card and write-in envelope for electronic voting systems [54:40], and the office and candidate labels for voting machines. It also refers to the paper or punch card ballots used by absentee voters. The term "specimen" or "sample" ballot refers to the facsimile ballot used only to inform the voters which is required to be posted at the polling places. [54:48]

The state secretary must prepare and furnish all ballots to be used in state primaries and elections and in the presidential primary. The town clerk must prepare and furnish all ballots to be used in town preliminaries, primaries and elections. Ballots for use in an electronic system shall be in a form approved by the state secretary under 54:32 and 54:37. [53:32; 54:40; 1985:477]

Note: In towns having election commissions, the duties of the town clerk with respect to ballot preparation are performed by that commission and election commission should be substituted for town clerk in the following text.

The type and number of ballots needed will depend upon the voting system used in your town and upon whether or not your town holds a primary or preliminary before your annual town election.

A. PRINTING BALLOTS

While not specifically required by the General Laws, ballots are printed commercially, either by the photo-offset or type set process. The photo-offset process is usually the least expensive.

It is suggested that you contact your printer well before your town primary, preliminary or general election to discuss printing needs. If you plan to use the same printer as in the past, you should probably contact him at least 2 to 3 weeks before you give him the text for the ballot. You may not be able to give him the final text for the ballot until 25 days prior to the election, the day following the deadline for candidates to withdraw their names from nomination (unless your charter or the selectmen have established a different schedule under 54:103P). You may, however, provide the text to the printer earlier so he can start his work if he can make adjustments when the final text is known. Most printers will accept the text in typewritten form. (see sample typewritten ballot text on page 249)

Note: In some Datavote towns, a layout sheet provided by the vendor is used. (see sample on page 250)

If you plan to use a new printer, you should probably contact him 2 to 3 months in advance. You will need to discuss the ballot specifications in some detail particularly if he has not printed ballots before. You may need to contact more than one printer since all printers cannot handle the required work.

In either case, unless you are using a voting system for the first time, it is suggested that you provide the printer with a copy of each type of ballot used in a previous year so he can see exactly what is required. On the outside of the ballot, cross out the date of the previous election and enter the new date in red. Inform him that he should print the absentee ballots first since you will need these about 3 weeks before the election to allow time for mailing. In many towns, the other types of ballots are not needed until about one week to 10 days before the election.

If you are using a voting system for the first time, samples of each type of ballot needed may be obtained from a town clerk who has the same system, from the Elections Division or from the voting system manufacturer or vendor.

If you expect the printing costs to exceed $2,000, or $4,000 if your town has accepted 40:4G, you must follow the public bid requirements and will need to allow time for advertising, etc. [40:4B] (see Chapter 3 ELECTION FACILITIES & EQUIPMENT, II. A. 2.) Be certain to include in the agreement or contract with the printer that proofs will be supplied. The proofs should be carefully checked with one person reading from the text you supplied and the other looking at the proof.

Note: No ballots may be printed in any printing establishment owned or managed by the city of Boston. [53:32; 54:40]

B. SPECIFICATIONS

1. Official Paper Ballots [54:44]
(see sample ballot on page 251)

The following specifications apply to all official paper ballots including both those to be used at the polls and as absentee ballots. They also apply to absentee ballots in towns having voting machines.

- length: minimum of 6", maximum of 13 1/2"

- width when folded: minimum of 4 1/2", maximum of 5"

- printing: candidates' names in black ink in lines at right angles with the length of the ballot

  Note: While not specified in the General Laws, black ink is used for all printing on ballots.

- type: candidates' names in capital letters, minimum of 1/8", maximum of 1/4"

(see IV. CERTIFICATES, B.1. on page 219 for information on voter authority certificates used in voting machine towns)

2. Voting Machine Ballot Labels (AVM)
(see samples on page 252)

On ballot labels, candidates' names should be printed in capital letters and if possible, the type size should comply with 54:44. The titles of offices should be in capital letters at least as large as the candidates' names, larger, if possible. Black ink should be used on all labels. Card stock 110 pound index is suitable for voting machine labels.

a. office and candidate labels

The specifications concerning length and width of voting machine labels do not appear in the General Laws, but will depend upon the type of machines you have and the number of candidates. The office title label on some machines must be 1" wide and on others it must be 1 5/8" wide. The candidate label is 1" wide. The length of the labels will depend upon the number of candidates and varies from election to election. You will find the ballot label layout showing width of label, width of columns, etc. in the back of the voting machine custodian's manual. It is suggested that you provide a copy of this layout to your printer.

Since you can make only minor adjustments in the width of the labels, inform your printer that he should strictly comply with these specifications. It is possible to trim the labels if they are a bit too wide to fit on the machines. It is also possible to adjust a label which is a bit too narrow by using extra tape to hold it in place. However, both of these adjustments are time consuming and should be avoided if possible. It is essential that the printing on both strips be far enough from the edges so that all of it will show when installed. Printers sometimes cut the labels too close to the printing unless they are made fully aware of the need for blank space at each edge.

Also inform the printer that the distance between the heavy lines dividing offices on both the office title label and on the candidates' label is critical. A small variance from the specified width will make it extremely difficult, if not impossible, for the labels to be properly aligned on the machine. The distance between the left end of the label and the heavy line dividing column 1 and column 2 is not as critical since the label can be trimmed if too long or moved slightly to the right if too short.

Each label can be printed in two sections if you have a large number of candidates and your printer does not have equipment to print long enough labels. In this case, the printer should divide the label at the end of an office leaving a tab beyond the heavy dividing line. The second label containing the rest of the ballot can be taped over the tab to join the two.

Fifty column machines are usually wide enough to handle a town election ballot using only row A. However, if there are 40 columns on your machines or you have an unusually large number of candidates, you may need to use row B as well. The specifications for the row B label are the same as for row A.

b. card for party lever cover

In addition to the office and candidate labels, a card for the party lever cover containing the words "OFFICES" and "CANDIDATES" is needed. These cards are printed with a hand pointing to the appropriate label and should be the correct width and length to fit in the party level cover on the left of the machine. (see first column under write-in slots on the sample specimen ballot on page 265) Small variations in the length and width may be permitted since the card can be taped in place.

3. Punch Card Systems (except Datavote; see page 159)

Several printed items are needed for punch card voting. In many towns, all the items required are prepared and printed by the vendor. The following information covers punch card systems other than Datavote and is given to assist those who wish to print ballots themselves.

a. official ballot booklets (see sample on pages 253-255)

Official ballot booklets consist of a set of cards for each marking unit. The number of cards in each set will depend upon the number of offices and the number of candidates to be elected to each office. The cards should be of fairly heavy stock since they will be handled by many voters on election day.

Specifications for the size and width of each card do not appear in the General Laws. However, they must be as close as possible to the specifications provided by the vendor.

Only a minor variation in length can be permitted. A card too long will not fit in the frame on the marking unit. A card too short will slide up and down displacing the arrows indicating where to vote for candidates.

The width of the cards is not as critical as the length.

The space between offices and the space provided for each candidate are critical so that the arrows will be properly aligned with the rectangles to be punched on the ballot card. In some towns, the town clerk prepares the text for the printer showing the exact measurements and layout.

The specifications under 54:44 for printing and type apply to ballot booklets. (see B. 1. on page 154)

b. yellow cardboard mask (see sample on page 256)

A heavy cardboard mask is also needed. This must be printed with rectangles in columns corresponding to and aligned with the rectangles printed on the punch card. Each column must be lettered at the top, A through M. The Regulations require that the mask contain at least 235 positions. [Regs. 50.02(2)(d)]

Holes need to be punched in the rectangles on the mask corresponding to the rectangles on the punch card to be used in each election. The placement of these holes in the center of the appropriate rectangles is critical.

c. punch card ballot (see sample on page 257)

The punch card ballot is similar to an ordinary data processing punch card. However, columns of numbered rectangles must be printed on it corresponding to those on the mask. In addition, a stub is attached to the end of the card containing two holes, printed directions to the voter and sometimes a serial number. The punch card must meet Electronic Industries Association standard RS-292 and U.S.A. standard X3.21-1967. [Regs. 50.02(4)(d)] (see f. absentee ballots below)

The length and width of the card and the location of the numbered rectangles and the two holes in the stub are all critical. The card must properly line up with the mask and ballot booklet cards when inserted in the marking unit.

In most towns, preprinted punch cards are purchased either by the box or in blocks of fifty. Since the punch card is the same (except for color) for all elections and primaries, a supply for several elections can be purchased at one time provided they are stored in a location free from cold and dampness. Punch cards left over from a state election or primary may be used in a town election, except that colors should not be mixed within a precinct. For a town primary, a different color must be used for each party. (see D. COLOR on pages 176-177)

d. punch card demonstrator ballot (see sample on page 256)

The punch card used for testing the marking units and for instructing voters is the same as the punch card used for voting, except it is identified as a demonstrator ballot. Preprinted demonstrator cards can also be purchased.

Note: The ballot booklet for the demonstration unit is supplied by the vendor. (see Chapter 3 ELECTION FACILITIES & EQUIPMENT, II. L. 5.)

e. gray write-in envelope (see sample on pages 258-259)

Since it is impossible to write a candidate's name on the punch card or on the ballot booklet, a write-in envelope must be provided. It must contain spaces in which the voter enters the title of the office and the name and address of the candidate for whom he wishes to vote. The envelope must be large enough to hold the punch card after voting, but not larger. Write-in envelopes are the same for all primaries and elections. Preprinted gray write-in envelopes are usually purchased, but envelopes left over from a state election may be used for a town election.

f. absentee ballots (see sample on pages 260-261)

The official absentee ballot pamphlet is printed on paper rather than on a set of cards and then folded. The pamphlet size is not specified in the General Laws. It should be large enough to include the ballot in a format similar to that on the ballot booklet to be used at the polls.

A punch card ballot must be used by absentee voters [Regs. 50.02(5)] and is the same as that for voters at the polls, except for the color and the stub. A 1/2" stub is attached to the ballot so that it can be stapled to the plastic foam backing. The write-in envelope for absentee voters is the same as that provided for in person voters.

4. Datavote System

a. punch card ballots (see sample on pages 262-263)

The Datavote system requires a punch card ballot which must meet the Electronic Industries Association standard RS-292 and the U.S.A. standard X3.21-1967 [Regs. 50.02(4)(d)] These are similar to ordinary data processing punch cards, except a stub is attached to the end of the card. The length and width of the card is critical since it must fit properly in the ballot punch unit.

While the blank card is the same for all primaries and elections, except for color and code punches at the bottom of the cards, the offices, candidates and questions, if any, must be printed on the card for each primary and election. The spacing of this information is critical since it must be aligned with the punch in the marking unit. Both sides of the card are used, and for some elections, more than one card is necessary.

The specifications under 54:44 for printing and type apply to Datavote ballot cards.

In most towns using Datavote, the ballot cards are printed by the vendor. However, a supply of blank cards may be purchased and your own printer may do the work. In this case, be certain that the printer complies exactly with the format specifications since the candidates' names and answers to ballot questions must be aligned with the punch.

An official ballot booklet similar to that used by other punch card systems is not needed.

b. punch card demonstrator ballot (see sample on page 264)

The first time a Datavote system is used, the punch cards for demonstration are the same as the cards used for voting at the polls, except they are identified by having DEMO. CARD printed on them to help ensure they are not counted by mistake.

After that, cards prepared in a previous election to be used by voters at the polls may be used as demonstrator cards. These cards would not have the words "DEMO. CARD" printed on them but they would not be counted by accident since the code punches at the bottom will prevent the computer from counting them.

c. gray write-in envelopes (see sample on pages 258-259)

The gray write-in envelopes used for Davavote are the same as for other punch card systems. (see 3. e. on page 158)

d. absentee ballots (see sample on page 264)

A punch card must be used by absentee voters [Regs. 50.02(5)] and is similar to the cards used by voters at the polls. However, absentee punch card ballots are a different color and there is a column of perforated circles to the right of the candidates' names which must be punched out by the voter using a pen or pencil.

The official absentee ballot pamphlet used by other punch card systems is not needed.

5. Specimen Ballots [54:48] (see samples on pages 265-269)

The term "specimen ballot" is used in 54:48 to refer to the facsimile of the official paper ballot while the term "sample ballot" is used with respect to voting machine and electronic systems. For simplification, only the term "specimen ballot" will be used in this manual.

Specimen ballots must be printed for each election and they must resemble as closely as possible the official ballots to be used by the voters at the polls. If voting machines are used, the specimen ballot must resemble the face of the voting machine as it will appear when set up for use. If an electronic system is used the specimen ballot must resemble the official ballot booklet display contained in the marking unit or for Datavote systems, the official punch card ballot. No endorsement (facsimile signature) is printed on a specimen ballot.

Regardless of the type of voting system, the specimen ballot should be printed on one side of a sheet of paper or card suitable for posting.

Printers usually prepare the inside of the official paper ballot, the voting machine labels, official ballot booklet or Datavote punch card ballot first and then use the same photo offset plate in preparing the specimen ballot adding text where needed.

6. Challenged Ballots [54:35A; Regs. 52.03(19)(c)]

In towns using voting machines, challenged ballots must be prepared by marking the words "CHALLENGED BALLOT" in large letters on the back of absentee ballots. [54:35A] However, there is very little room on the back of an absentee ballot since most of the space is covered with instructions and the Regulations provide that the word "CHALLENGED" be stamped or written on the face of the ballot. [Regs. 52.03(19)(c)] In some towns, a rubber stamp is used for the purpose and a small supply of challenged ballots is prepared before the election. In other towns, the warden marks the ballots as needed at the polls on election day.

Note: 54:35A requires that specimen ballots be used for challenged voters in primaries and preliminaries. However, this provision was used only prior to the time absentee voting was made mandatory for all primaries and preliminaries.

In paper ballot towns, the words "CHALLENGED BALLOT" are marked on the official paper ballots by the warden at the polls just prior to their use by challenged voters. In punch card towns, the warden marks the initials "CV" and a number on the punch card and the gray write-in envelope when challenged ballots are needed at the polls. (see ELECTION DAY, IX. D. CHALLENGED BALLOTS on Volume 4 of this series)

C. BALLOT DESIGN AND INFORMATION REQUIRED

1. Official Paper Ballots (see sample ballot on page 251)

To preserve the voters' rights to a secret ballot, the official paper ballot must be folded lengthwise so that offices and candidates' names are on the inside when given to the voter and when deposited in the ballot box. The office titles and candidates' names under each office should be printed in columns, one column within each fold. The following information must appear on the inside of all official paper ballots: [54:42]

a. offices [53:34; 54:42]

(1) title

The title of each office to which candidates are to be nominated or elected must appear on the ballot. The title should be that appearing in the General Laws, special act, charter or town meeting vote establishing the office.

Exception: In some towns having preliminary elections, an office does not appear on the preliminary ballot if the number of candidates for that office does not exceed twice the number to be elected at the following town election. In this case, the office appears only on the town election ballot.

There are no specifications in the General Laws concerning the size of the type used for the office title, but it should be the same size as or larger than the candidates' names.

(2) order

The order in which the offices should appear on a town primary, preliminary or election ballot is not specified in the General Laws. Unless it is specified in the town's special act, the town clerk determines the order. In many towns, the order is traditional and usually moderator appears as the first office on the ballot followed by selectman. The remaining offices are sometimes listed in the order in which they were established. For example, town clerk, collector of taxes, town treasurer, assessors, etc. follow selectman and more recently established offices, such as planning board, park commissioner, etc. are placed toward the end of the ballot.

You may wish to change the usual order of offices for a given election. For example, you may avoid having three columns on a paper ballot by placing an office at the top of the second column instead of at the bottom of the first column even though such placement disturbs the usual order.

However, if there is an office to which candidates can be elected for different terms at the same election, the office title must appear twice, one after the other on a paper ballot, with the shortest term appearing first. In the ballot format, the two terms should be treated as two separate offices.

In any event, the order of offices must be the same on all types of ballots prepared for a given election. However, the order of offices on the ballots may be different from the order appearing on the warrant for that election.

(3) information

Under each office title, the following information should be printed:

- the term of office in years, as follows, "for one year," "for three years," etc..

- the words "to fill a vacancy," if the office is on the ballot because of a vacancy

- the number of persons to be voted for in the following form: "vote for one," "vote for not more than two," "vote for not more than three," etc.

b. candidates [41:10; 53:3,6,34,48; 54:41,42]

(1) names and addresses

The candidate's name should be printed on the ballot in the form as registered. The address should include the name of the street and the number, if any. [53:34; 54:41]

Note: If a candidate's address changed after nomination papers were taken out but before the ballot is printed, he may be listed on the ballot at his new address provided you receive a written request for an address change from the candidate. Attach the request to his nomination papers.

- primaries and preliminaries

No names shall be printed on a primary or preliminary ballot other than those presented on nomination papers. [53:34]

Exception: Under certain circumstances, if a vacancy caused by death, withdrawal or physical disability is filled, the candidate's name may appear on the ballot even though he did not submit nomination papers. (see 53:14,62)

There shall not be printed on the ballot of a town primary the name of any person as a candidate for any office to be filled at the town election unless he has become an enrolled member of the party whose nomination he seeks on or before the 90th day prior to the last day for submitting primary nomination papers to the registrars of voters. [53:48]

- annual town election

The ballot for a town election shall contain the names of all candidates duly nominated for election and no other names. [54:41] The candidates may be nominated by primary, preliminary, caucus or by nomination papers depending upon the specific circumstances in your town. If nominated by write-in votes at a primary, the candidate must file a written acceptance in the office of the town clerk within 6 days following 5 P.M. on the day of the primary. [53:3]

Note: No person may be nominated as an unenrolled candidate for an office to be filled at a town election following a primary if he has been enrolled as a member of a political party during the 90 days prior to the last day for filing nomination papers. [53:6] Such a candidate must also file, on or before the last day for filing nomination papers, a certificate signed by the registrars certifying that he is not an enrolled member of a party. [53:48]

However, the name of any person shall not be printed on the official ballot or on ballot labels more than once as a candidate for the same office, nor more than once for any office wherein a full term and a partial term running concurrently are to be filled. [54:41]

- special town elections [41:10]

If a special election is held because of a failure to elect a town officer (a tie vote in the annual town election), the ballot for the special election must contain the names and addresses of candidates already nominated and those nominated subsequently.

Example: Two members were to be elected to the school committee and four candidates appeared on the annual town election ballot. One candidate received more votes than any other and was elected. Two candidates received the same number of votes and more than the fourth candidate. The two candidates with the same number of votes and the fourth candidate would appear again on the special election ballot along with the names of new candidates who had filed nomination papers for the special election, unless the town's special act provides otherwise.

(2) candidate's statements, political designation and information [53:34]

The following information should appear on the ballot under each candidate's name and address, when applicable.

- primary and preliminary ballot

  If the candidate requests it, a statement of not more than 8 words including the public offices he holds or has held and other information as follow:

  - an office voted for at state primaries
  - mayor, city councillor, alderman or town councillor
  - selectman
  - school committee
  - candidate for renomination, if he is an elected incumbent
  - veteran, if he is a veteran as defined in 31:1 [53:34]
  - other elected or nonelected public office in which he was entrusted with some degree of power or authority of government and in which he exercised some significant discretion or judgment. (per series of unreported decisions issued by the Supreme Judicial Court in 1982)

  If you receive a request for an eight word statement including an office in the last category above, it is suggested that you consult with town counsel to determine whether or not the office qualifies.

  If the candidate is a former incumbent, the statement must so specify.

  Only incumbents elected by popular vote are entitled to the designation "candidate for renomination." An incumbent appointed under 41:11 by the selectmen or the selectmen and the remaining members of a board or committee to fill a vacancy is not entitled to such designation.

  An incumbent elected to an office by a district who is an at-large candidate to the same office is not entitled to the designation "candidate for renomination." (see DePasquale v. Hirshberg, No. 83-5247 (Mass. Super., Middlesex Oct. 4. 1983))

A candidate for nomination to the same office in a precinct which contains any portion of the territory which he was elected to represent at the last preceding municipal election for that office must be considered an elected incumbent and entitled to the designation "candidate for renomination."

- annual town election [54:41]

If the election was preceded by a primary or political party caucus, the name of the party which appeared on the candidate's certificate of nomination or nomination papers must be included.

If a candidate receives the nomination of more than one party or more than one political designation for the same office, he may give the town clerk a written direction stating the order in which the nominations or designations shall be added to his name on the ballot. If nominations are made by primary, the written direction must be received by the town clerk within 72 hours after 5 P.M. on the day of the primary. If nominations are made other than by primary, the direction must be received by the town clerk within 72 hours after the last time for filing certificates of nomination or nomination papers. [54:41] For example, if the candidate filed nomination papers as an independent and he received a party nomination by write-in at the primary, he may direct the town clerk to place the designations on the election ballot in the order he chooses.

If no written direction is given within the time specified, the town clerk shall determine the order in which the nominations or designations shall appear on the ballot.

If the candidate was nominated by a caucus other than one of a political party, the words "caucus nominee" must be included.

If the candidate is an elected incumbent of the office for which he is running, the words "candidate for re-election," must be added under his name and address.

Only incumbents elected by popular vote are entitled to this designation. An incumbent appointed under 41:11 by the selectmen or the selectmen and the remaining members of a board or committee to fill a vacancy is not entitled to the designation.

An incumbent elected to an office by a district who is an at-large candidate to the same office is not entitled to the designation "candidate for re-election." (see DePasquale v. Hirshberg, No. 83-5247 (Mass. Super., Middlesex, Oct. 4, 1983)

A candidate for election to the same office in a precinct which contains any portion of the territory which he was elected to represent at the last preceding municipal election for that office must be considered an elected incumbent and entitled to the designation "candidate for re-election."

(3) order of candidates' names

- primaries [53:34]

Under each office, the names of candidates who are elected incumbents must appear first. If there are two or more elected incumbents for the same office, they should appear in alphabetical order by surname. After elected incumbents, other candidates for that office must appear in alphabetical order by surname.

- preliminaries

Under each office, the order of candidates' names is the same as for an annual town election, unless the town's special act provides otherwise.

- annual town election [54:42]

Under each office, the names of elected incumbents must appear first, in alphabetical order by surname. If the election was preceded by a primary, the names of candidates nominated by the parties appear next, in alphabetical order by surname. Then, the names of other candidates appear in alphabetical order by surname.

If the election was preceded by a caucus, the town charter or tradition determines whether or not the caucus nominee follows elected incumbents. However, 54:42 specifies that the names of candidates of political parties follow elected incumbents in alphabetical order by surname. This seems to indicate that the names of party caucus nominees should follow elected incumbents.

Note: In each case under (3) above, your town's special act may specify a different order for the candidates' names. Several town's special acts require that the order of candidates' names be determined by lot. Check the special act for your town in this regard.

c. spaces for write-in votes [53:34; 54:42]

A number of blank spaces, equal to the number to be nominated or elected to that office, must be provided at the end of the list of candidates under each office. For example, if only one candidate may be nominated or elected, one blank space is needed. If two candidates may be nominated or elected, two blank spaces are required. [53:34; 54:42] A voter may write in a candidate's name in the blank space(s) provided under each office. (see 53:35; 54:77,78)

d. squares [54:42]

A square must be provided to the right of each candidate's name in which the voter marks his X to cast his vote. A square to the right of each blank space under the list of candidates for each office should be printed on paper ballots, but the voter is not required to mark an X in the square after he has written in the name of his candidate.

Note: 53:34 does not specifically require that squares be provided on primary or preliminary ballots. However, it does provide that the form of ballots and the arrangement of printed matter thereon shall in general be the same as that of the official state ballots. A square is needed on all official paper ballots so that the voter will know where to place the X to cast his vote.

e. instructions for voters [54:42] (see Note: above for primaries)

At the top of each ballot, or at the top of each column, the following instructions must appear:

> To vote for a person, mark a cross (X)
> in the square at the right of the name.

f. ballot questions [54:42,42A,42B,58A]

Ballot questions will appear only on the town election ballot, not on a primary or preliminary ballot, and shall be printed on the ballot after the names of candidates. [54:42] The text of each question as specified in the

General Laws must be included on the ballot (see 53:56, 59:21C for examples)

For questions asking whether or not the town shall accept a section of the General Laws, a "concise summary and purpose of the law" determined by town counsel must also be included. [54:58A] Also, a summary is required for charter amendment questions. [43B:11] However, unless specified under the section of the General Laws related to other questions, no summary should appear on the ballot.

If there is more than one question, each should be numbered. [54:42A]

In addition, the words "yes" and "no" must appear after each ballot question. [54:42]

If the question is one of public policy, the words "This question is not binding" must be added. [54:42B] (see 53:18A for public policy questions on a town election ballot)

The following information must appear on the outside of all official paper ballots: [53:34; 54:42]

- that it is an official ballot or official absentee ballot
- the type of election
- the name of the town
- the precinct or district, if any
- the date of the election
- the facsimile signature of the officer preparing the ballot.

SAMPLE OUTSIDE FRONT OF BALLOT

(Annual Town Election)

OFFICIAL BALLOT

MIDTOWN

PRINTED
TOWN SEAL

TOWN ELECTION

MARCH 25, 1985

PRECINCT 1

your signature
Town Clerk

The order in which the items appear may be different from that shown in the above sample. However, the signature and title of the official preparing the ballot are often the last items.

Note: The penalty for willfully forging or falsely making an endorsement (signature) on a ballot is a fine of not more than $100.00 or imprisonment for not more than one year. [56:52]

Note: If the town votes by precincts at a November election but does not at the annual town election or votes by grouped precincts at a primary, no precinct numbers need to be printed on the outside of the ballot.

For a primary ballot, the top line would read "OFFICIAL BALLOT OF THE DEMOCRATIC [REPUBLICAN] PARTY." "TOWN ELECTION" would be changed to "TOWN PRIMARY."

For a preliminary election, "TOWN ELECTION" would be changed to "TOWN PRELIMINARY ELECTION."

For absentee ballots, the top line would read "OFFICIAL ABSENTEE BALLOT," or if a primary, "OFFICIAL ABSENTEE BALLOT OF THE DEMOCRATIC [REPUBLICAN] PARTY."

Instructions for absentee voters must be enclosed in the envelopes with absentee ballots. [54:87, last sentence] These are usually printed on the outside back of the ballot although this is not required. (see sample absentee voter instructions on page 270)

2. Voting Machine Ballot Labels (see samples on page 252)

The information under C. 1. on pages 161-171 applies to voting machine ballot labels, except as follows:

- blank spaces for write-in voting are not provided on machine labels since all write-in votes are cast in the slots at the top of the machine. If there is no duly nominated candidate for a given office, the related column on the candidate's label will be blank, except for column number and row letter. The write-in slot must be used to cast a vote for that office.

- there are no squares in which to mark an X.

- the instructions "To vote for a person, mark a cross (X) in the square at the right of the name" do not appear since votes are cast by pushing down a candidate pointer.

- the information required to appear on the outside of the official paper ballot does not apply to voting machine labels.

Note: All of the information under C. 1 does apply to absentee ballots used in towns having voting machines.

The following also applies to voting machine ballot labels:

a. offices

The office titles, term of office and the number to be nominated or elected appear on the machine 1" or 1 5/8" office label. In addition, the column numbers must be printed at the top of the label showing where each column begins.

b. candidates

The candidates' names, addresses, statements, party, etc. appear on the 1" candidate label. The column number and row letter must be printed above each candidate's name.

The candidate label is inserted on the machine directly under the office label. However, if there are too many candidates to fit on row A, a second candidate label must be printed for row B. The candidates for a given office appearing on row A and row B must appear directly under the office title. The layout for using two rows of candidate's labels appears in the voting machine custodian's manual. Advice may be obtained from the Elections Division, 727-2828, 1-800-462-8683.

The order of candidates' names and the information appearing under each name should be the same as that on the official absentee ballot.

c. ballot questions

Ballot questions may appear in two different locations on a voting machine. Some town clerks place them at the top of the machine in the question row, with "YES" and "NO" printed on a separate label inserted directly below. This arrangement is the same as that used for a state election. If there are a large number of questions, if the text of the questions is very long, or if you need almost all the voting machine columns for candidates, questions will probably have to be placed at the top of the machine.

However, ballot questions may be placed on the machine at the end of the ballot after the last candidate's name. The text of the question and a summary, if required, should be printed on the office label. "YES" and "NO" should be printed on the candidate label in the last two columns used by the the question text, but in row A. Voters are more likely to see a town election ballot question if it is placed in this location rather than at the top of the machine.

3. Punch Card Systems (Except Datavote) (see samples on pages 253-255)

The information under C. 1. on pages 161-171 applies to the cards in the official ballot booklets and on the official absentee ballot pamphlet enclosed with the absentee punch card, except that the words "To vote for a person, mark a cross (X)..." do not appear since votes are cast by punching holes in cards. The following also applies:

a. offices

On the cards in the official ballot booklet, the office titles, term of office, the number of persons to be nominated or elected and "to fill a vacancy," if applicable, should be printed on the reverse side using a format similar to that appearing on a paper ballot. A blank space, equivalent to at least two numbered rectangles, should appear between the last candidate for an office and the title of the next office. Each card should be numbered at the top left corner.

On the absentee ballot pamphlet, this information would appear on the inside in the same format as on the card. Each column of the pamphlet when folded would appear the same as a card in the booklet including the number at the top left corner. In some towns, the number appears in the center at the top of each fold and the word "page" is added.

b. candidates

The candidates' names, addresses, statements, etc. should be printed directly under the office for which each is running both on the card and on the absentee ballot pamphlet.

In addition, each candidate is assigned a number corresponding to the number on the punch card where the vote is cast. The candidate number must be printed on both the card in the ballot booklet and on the absentee ballot pamphlet at the right of the candidate's name. An arrow should be added directing the voter to the appropriate place to punch the ballot card.

If no candidate's name is to be printed on the ballot, the words "no candidate filed" or "no candidate nominated" should be printed under the office but no candidate number should appear. (see sample on page 249)

c. spaces for write-in votes

The spaces for write-in votes appear only on the gray write-in envelope which must be provided with each punch card for both in person and absentee voters. When the envelope is opened, two columns are provided, one in which the voter must enter the office title and the other for the candidate's name. A space is provided on the inside flap for the election officers to enter the write-in ballot number.

d. ballot questions

Ballot questions are printed on the official ballot booklet card and on the absentee ballot pamphlet at the end of the ballot following the last candidate's name the same as on official paper ballots and are numbered in order. The words "YES" and "NO" are printed under the question text. The number corresponding to the numbered rectangle on the punch card must be printed to the right of "YES" and "NO" and an arrow added.

e. instructions for voters

(1) official ballot booklet

Voting instructions should be printed on the front side of the first card in the official ballot booklet as shown in the sample on page 253. The front side of each subsequent card should contain the instruction to turn the page and the words "Do Not Mark this booklet - Punch Only The Card You Inserted."

A final card should be included in the booklet containing on the front only the words "END OF BALLOT."

(2) absentee ballot pamphlet

Voting instructions may be printed on the outside of the absentee ballot pamphlet as shown in the sample on page 271. In some towns the instructions "Do Not Mark This Booklet" and "Vote on the punch card" are printed at the bottom of the first column and "End of Ballot" is printed at the bottom of the last column on the inside.

However, the instructions shown on page 271 including information about qualifications and witnessing, etc. should also be included with the pamphlet.

(3) gray write-in envelope

The gray write-in envelope contains instructions to insert the ballot card after voting and informing the voter how to cast a write-in ballot. (see sample envelope on pages 258-259)

(4) punch card

The punch card to be used by voters at the polls, contains voting instructions printed on the stub telling the voter to place the card over the posts and to insert the card "this side up." At the bottom of the card there are spaces for election officers to insert the precinct and write-in number.

Note: The information under C. 1. on page 170 required to be printed out the outside of ballots, must be printed on the front of the first card in the official ballot booklet and on the outside of the absentee ballot pamphlet. The titles "OFFICIAL BALLOT BOOKLET" and "OFFICIAL ABSENTEE BALLOT BOOKLET" should be used.

4. Datavote

The information under C. 1. on pages 161-171 applies to the Datavote punch card ballots except that the words "To vote for a person, mark a cross (X)..." do not appear since the votes are cast by punching holes in the cards. Spaces for write-in votes are not provided on the cards since write-in votes must be cast on a gray write-in envelope the same as for other punch card systems. (see 3. e. on page 158)

The offices, candidates, questions and related information are printed in a column on the punch card ballot itself using both sides of the card and if necessary to include all candidates and questions, more than one card. Note that candidates are not assigned a number as they are for other punch card systems.

The information required to appear on the outside of an official ballot, except the official's signature, should appear on both sides of the stub of the Datavote punch card ballot. If more than one card is required, the information appears on the stub of each card. In addition, each side of the ballot card(s) is lettered, A, B, C, ... in order at the top and bottom right corners.

Rectangles instead of squares are printed at the right of the candidate's name and each rectangle contains a "+". An arrow appears just to the left of the rectangle to direct the voter to the appropriate place to punch the card.

Instructions for voting by absentee ballot must be printed on a separate sheet and enclosed with the punch card(s). (see sample on pages 272-274)

5. Specimen Ballots [54:48] (see samples on pages 265-269)

The information under C. 1. on pages 161-171 must also appear on the specimen ballot, except that the title on this ballot should be "SPECIMEN BALLOT," and the facsimile signature does not appear.

In addition, the words "Penalty for willfully defacing, tearing down, removing or destroying a list of candidates or specimen ballot - fine not exceeding One Hundred Dollars" are usually printed on specimen ballots. Instructions to voters may also be printed.

A voting machine specimen ballot also contains a diagram representing the write-in slots printed under the title showing the type and date of the election, etc. Under this diagram, ballot questions, if any, the office and candidate labels, including the column numbers on the office label and column number and row letter on the candidates' label, are printed. If the labels are too long to be printed on one sheet of paper, they may be printed on separate sheets and then glued to a cardboard to provide a specimen ballot in the same form as the face of the machine.

If necessary, the office and candidate labels may be paired and one set printed below the other on the specimen ballot even though only row A is used for candidates on the machines. However, a specimen ballot with the office and candidate labels in the same format as they appear on the machine is preferable.

D. COLOR

Ballot color is specified in the General Laws. In each case where a color other than white is required, it is suggested that a pastel color be used. Black printing is not as easy to read on the darker colors.

1. Annual Town Election [54:44,87]

Official paper ballots must be printed on ordinary white printing paper. Voting machine ballot labels must be printed on white card stock, except that yellow is usually used for ballot questions text label and the answer label if they appear at the top of the machine.

The official ballot booklets for punch card systems except Datavote, must be printed on white card stock. [54:44] The punch card ballots, however, do not need to be white.

Absentee ballots must be printed on paper or card stock differing in color from the official ballot to be used at the polls and from the specimen ballots. [54:87] This color requirement applies to all types of absentee ballots, regardless of the type of voting system used. For punch card systems, the official absentee ballot pamphlet if required, and the punch cards should be the same color. If preferred, a white or off-white punch card can be used, but in this case, a stripe of the appropriate color should appear on the card.

Note: The demonstrator punch cards used for instructing voters and for testing the marking units before the polls open should be a different color from the punch cards to be used at the polls by voters and the absentee voter punch cards. Otherwise, there is a risk that a demonstrator card may become mixed in with the cards to be counted. Usually demonstrator cards are gold.

Exception: Demonstrator cards for Datavote systems may be white if cards from a previous election are used since the code punches at the bottom of the card prevent their being counted in error.

2. Primaries [53:33,34A]

Ballots for each party must be printed on paper of a different color from that on which the ballots for any other party are printed. [53:33] For many years, pink or salmon has been used for Democratic ballots and blue has been used for Republican ballots in state and presidential primaries. You may wish to use these colors in your town primary since the election officers and voters may regularly associate them with the parties, but the General Laws do not require any specific colors to be used.

Voting machine ballot labels, official ballot booklets and punch cards to be used at the polls should also be printed using a different color for each party.

Absentee ballots, including those used with voting machine systems and the official absentee ballot pamphlet and punch card used with electronic systems, should be printed on a different color paper or card stock for each party. Use the same colors as the ballots to be used at the polls but a different shade so that the two kinds of ballots can be distinguished. [53:34A] A striped punch card can be used instead of a solid color.

3. Preliminary Elections

The color for preliminary election ballots is the same as for the annual town election. (see D. 1. on page 176)

4. Specimen Ballots [53:33;48]

Specimen ballots to be posted must be printed on colored paper. Use a different color from that used for the official ballots or the absentee ballots. In primaries, the specimen ballots may be the same color, but a different shade from the official ballots to be used at the polls and absentee ballots for each party. However, 53:33 requires only that the specimen ballots in primaries be printed on colored paper.

E. NUMBER OF BALLOTS REQUIRED

1. Official Ballots

a. paper ballots

(1) ballots to be used at polls [53:32; 54:45]

One set of ballots, not less than one for each registered voter, must be provided in each polling place for a town election or a preliminary election. [54:45] The General Law requirement provides enough ballots even if a number of voters spoil the ballot and need a second one since voter turnout is never 100 percent.

For primaries, the number of ballots prepared for each party shall be determined by the town clerk. However, the number of ballots provided must not exceed one ballot of each party for each voter therein. [53:32] It is suggested that you interpret the limit specified in 53:32 to mean not more than one ballot for each party for each voter in the town. It is essential that you have enough ballots on hand to supply one to each voter who appears to vote. If you limit the number of ballots provided to one for each voter enrolled in each party and there is an unusually large voter turn out, you may run out of ballots on election day.

(2) absentee ballots [54:87,103A]

The number of absentee ballots to be provided is determined by the town clerk. [54:87,103A] In determining how many absentee ballots to prepare, it is suggested that you check the number of absentee ballots regularly cast in past town elections, preliminaries and primaries. However, if your town has voting machines, it should be kept in mind that absentee ballots are used for challenged ballots and a supply is needed at each polling place in case all voting machines break down.

In any case, it is suggested that you provide well more than the number of absentee ballots actually cast in prior elections. One of the candidates may be making a special effort to contact prospective absentee voters and this may increase the number of ballots needed. Printing extra ballots does not add significantly to the cost and it is far better to have more ballots than actually needed than to run out of ballots. A delay caused by having additional ballots printed shortly before an election may well disenfranchise a voter.

b. voting machine labels [54:45]

At least one and one-half sets of machine ballot labels must be provided for each voting machine to be used at the election. For example, if 30 machines are to be used, 45 sets of lables are required. If 5 machines are to be used in a precinct, 8 sets of labels should be provided for that precinct.

54:45 further requires that at least 2 sets of labels be provided for each precinct.

It is suggested that you provide more than the required number of sets for each precinct. Labels are sometimes damaged during voting machine preparation, and on occasion they have to be replaced on election day. Having extra sets printed adds a small amount to the cost and it is far better to have extra sets than to run out either during machine preparation or on election day.

For primaries, provide one and one-half sets of labels of each party for each machine to be used by that party.

For the number of absentee ballots to be provided, see E. 1. a. (2) above.

c. punch card systems (except Datavote) [54:45]

At least one and one-half sets of official ballot booklets must be provided for each marking unit to be used at the election. At least two sets of official ballot booklets must be provided for each precinct.

For primaries, provide one and one-half sets of booklets of each party for each marking unit to be used by that party.

More than the minimum number required may be needed since the cards in the booklets may be damaged during preparation. Also, the voters will be handling the cards as they vote on election day and may write on them. Damaged or marked booklets may need to be replaced on election day if voter turnout is heavy.

The number of punch cards and gray write-in envelopes required and the number of absentee ballot pamphets and absentee punch cards is the same as for paper ballots. (see E. 1. a. on page 178)

d. Datavote

The requirements for the number of ballots to be provided both for voters at the polls and for absentee voters are the same as for paper ballots. (see E. 1. a. on page 178)

Note: The term "ballot" means the proper number of punch cards necessary to record votes for all offices and on all questions if more than one punch card is required and one gray write-in envelope for enclosing the punch card(s). (see Regs. 54.03(8))

2. Specimen Ballots [53:33; 54:48]

For a town election, at least 10 specimen ballots must be provided for each polling place regardless of the type of voting system used. [54:48] For a primary, at least 3 specimen ballots for each party must be provided for each polling place. [53:33] (see 53:36 and 54:65 for number of specimen ballots to be posted at the polls on election day)

It is suggested that you have more than the required number of specimen ballots prepared, particularly for a primary. In many towns, specimen ballots are posted in each precinct before election day to comply with the requirements of posting the list of candidates. (see G. on page 182) In some towns specimen ballots are provided to the news media or school teachers upon request. In addition, extra specimen ballots may be needed by the warden on election day to replace a posted specimen ballot which has been torn, removed, or marked up.

F. CHECK AND COUNT BALLOTS WHEN RECEIVED (also see ABSENTEE BALLOTS elsewhere in this manual)

1. State Ballots

Ballots for the state primary and election and the presidential primary will be delivered to you before each primary or election. Absentee ballots will be delivered about 3 weeks before and other ballots later. As soon as ballots are received, they should be checked.

In paper ballot towns, check the outside of the ballot to be certain that it contains the name of your town and the appropriate precinct number, if any. Also check the inside against the list of names, addresses, and designations of candidates provided earlier by the Elections Division.

In voting machine towns, the machine labels need to be checked. In punch card towns, except Datavote, check the official ballot booklets. In Datavote towns, the ballot cards need to be checked.

In all towns, also check the specimen ballots to be certain the information is the same as that appearing on the ballots or ballot booklets.

If the ballots or booklets are not correct, notify the Elections Division immediately. 727-2828, 1-800-462-8683

If the ballots are correct, count the number of paper or punch card ballots received. Count those to be used at the polls separately from the absentee ballots. The number of ballots enclosed should appear on the outside of each container. If your count does not agree with the number entered on the containers, make the appropriate corrections. The correct number of absentee ballots should be recorded and the correct number of ballots to be used at the polls should be entered on the containers before they are transmitted on election day. (see ABSENTEE BALLOTS elsewhere in this manual and VII. PACKING ELECTION MATERIAL on pages 246-248) (also see 54:46,59 and 60)

2. Town Primary or Election Ballots

The town primary or election paper ballots, machine labels, official ballot booklets or punch card ballots should be checked as soon as received against the text you provided the printer. If there are any errors, contact the printer immediately to have a new supply printed.

Also check to be sure the printing is clear. If you find some ballots with blurred printing, remove them from the supply.

Then count the number of paper ballots or punch cards and record the numbers as outlined in 1. above.

3. Ballot Security

All blank official paper and punch card ballots should be safely kept either in the office in a fire-proof file or in the vault. It is essential that a ballot is not improperly used and subsequently counted. Specimen ballots not posted or provided to the news media or teachers, should also be safely kept until they are transmitted to the polls. Machine labels and punch card booklets will be needed for prepration of the machines or the marking units.

G. POSTING [54:49,51; 56:24]

At least 5 days before each state primary and election and the presidential primary, the state secretary must send a list of the names, residences and designations of candidates and printed copies of ballot questions to each town clerk. The list and copies of questions must be conspicuously posted in at least 3 public places in the town. In precinct towns, the list and questions to be voted on in the precinct must be posted in at least 3 public places in each precinct. [54:49]

At least 4 days before every town primary, preliminary or election, the names, residences and designations for all candidates duly nominated to be voted for in the town, substantially in the form of the official ballot, must be posted in one or more public places in the town. [54:51] In precinct towns, this information should be posted in each precinct. In addition, a copy of ballot questions, if any, should also be posted.

In most towns, the requirements of 54:49 and 54:51 are met by posting copies of the specimen ballot. The specimen ballot should be posted as soon as received and one copy should be posted in the registrar's principal office in addition to the places outlined above. (see 50:5 and 51:57) (also see ELECTION DAY, II. C. 5. Specimen Ballots and Cards in Volume 4 of this series for posting requirements on election day at the polls)

The penalty for willfully defacing or destroying a posted list of candidates before an election or primary, or willfully defacing, tearing down, removing or destroying any posted specimen ballot during an election or primary is a fine of not more than $100.00. [56:24]

II. TALLY SHEETS

A. GENERAL

The blank forms provided by the state secretary shall be used in ascertaining the results of the election or vote in state elections and primaries and in town elections, preliminaries and primaries where official ballots are used. [53:36; 54:104] These blank forms are commonly called "tally sheets" and are used to record the ballots cast for candidates and questions in all types of elections.

The Elections Division of the state secretary's office prepares and sends a supply of blank tally sheet forms to each town clerk several months prior to state and town elections. You will also receive an order form listing the 4 types of tally sheets and other election materials supplied by the state secretary, and may order the types in the amounts you need. Extra sheets can be ordered during the year by calling the Elections Division, 727-2828, 1-800-462-8683.

Note: If there is a district, such as a fire or water district in your town, which uses official ballots in its elections, the state secretary shall, upon request of the town clerk, supply such blank forms, tally sheets and total vote sheets as are used in the town elections for the use of the district. [41:118] The sheets are sent to the town clerk who then distributes them to the district clerk.

1. Block Tally and Total Vote Sheets [53:39; 54:104]

A set of block tally and total vote sheets will need to be prepared for each polling place for every election. [54:104] Two sets will be needed for each primary, one for Democratic ballots and the other for Republican ballots. [53:39] Preparation may begin before the election or primary as soon as the offices, candidates and questions to appear on the ballot are known. The preparation should be completed in time to pack the sheets with other election material in the fibreboard boxes to be delivered to the polls on election morning. If necessary, however, tally sheets can be prepared during election day since they will not be needed until after the polls close.

2. Absentee Ballots Counted in Office [54:95]

If absentee ballots received on election day are counted in the office rather than sent to the precinct polling places, a block tally sheet for each precinct will be needed for use in the office. [54:95]

3. Overseas Absentee Ballots (November Elections Only) [54:95,99; 1984:241]

For state elections only, absentee ballots mailed on or before the election from overseas should be counted if received in your office within 10 days after the election. You will need to prepare a block tally sheet for each precinct to record the votes from these ballots, unless you receive only one or two ballots.

4. Escrow Ballots [51:59A]

If escrow ballots were cast under the provisions of 51:59A, block tally sheets may be needed for each precinct to record the votes cast on these ballots, unless there are only one or two ballots. This tally sheet is prepared the same as the election block tally sheet. However, it is needed only after the election and only if the number of escrow ballots cast may change the result of the election.

5. Partial Ballots (Presidential Elections Only) [51:1F]

For presidential elections only, if partial ballots are cast under the provisions of 51:1F, a block tally sheet will be needed, unless there are only one or two ballots. However, only the office of president/vice-president would be entered on the sheet.

6. Recounts [54:135,135A,135B]

If there is a recount following an election or primary, a set of block tally and total vote sheets will be needed to record the recounted votes. These are prepared the same as the election tally sheets, except that only the office(s) to be recounted and the candidates running for that office, or only the question(s) to be recounted will appear on the tally sheets.

The details of how the sheets should be prepared will depend upon the types used and the kind of voting system you have. In most towns, as much information as possible is entered on the tally sheets prior to the election to minimize the election officers' work in counting votes and to insure that the forms are properly completed.

The penalty for willfully or maliciously injuring, tampering with or destroying the blank forms (tally sheets) furnished to a city or town is a fine of not more than $500.00 or imprisonment for not more than one year. [54:27]

Note: If it is impossible to use the blank forms provided by the state secretary at a particular election or primary, the canvass of the votes shall be made as the presiding officer shall direct; and the election clerk shall record the facts relating to the failure to use such blank forms. An attested copy of such record must be enclosed in the envelope with the ballots cast. [54:104]

B. PAPER BALLOT TOWNS

Two types of tally sheets will need to be prepared, the block tally sheet and the total vote sheet.

1. Block Tally Sheet, Form E-230 (see sample forms on pages 275-276)

The block tally sheet is used to record the votes as they are read directly from the paper ballots. It is a white form about 14" x 17" printed on both sides with blue ink. The form number appears at the top left corner.

a. number required

As its name implies, one block tally sheet for each block of ballots cast is needed. A block usually contains 50 ballots, but the General Laws specify only that the ballots be divided into "convenient packages." [54:105] A convenient package or block may contain 20 ballots, or any other number, if the town clerk decides counting ballots in blocks of less than 50 will be easier for the election officers. Usually, smaller blocks are used in presidential primaries when there may be up to 35 town committee members to be elected.

On the other hand, if the last block of ballots to be counted contains 10 or less ballots, these may be added to the next to last block if method one for recording votes is used. (see ELECTION DAY, XVI. B. 8. a. how to mark a block tally sheet in Volume 4 of this series, and Election Officers Handbook, paragraph D19 for paper ballots, D22 for AVM machines) There is room on the block tally sheet to record a few more than 50 ballots. Having one less block to enter and add on the total vote sheet may save the election officers some work.

In any event, you will need to decide before the election, the number of block tally sheets to prepare and supply to each polling place. This may be estimated by dividing the number of ballots in each block into the total number of ballots you expect to be cast based upon the percent voter turnout in past elections of the same type. Add to or subtract from the past turnout depending upon campaign activity and the level of public interest in the issues and candidates. It is suggested that at least one extra tally sheet for each precinct be prepared in case you have underestimated the number of ballots. If your town does not vote by precinct or is voting by grouped precincts, you may need several extra block tally sheets.

b. preparation

The following information may be entered by hand or by typewriter on the block tally sheet. If a large number of block tally sheets is needed, you may prefer to enter information on one sheet and have the rest of the sheets printed commercially. In this case, inform the printer that lines and rectangles must appear on the printed copies the same as they do on the original. Since the lines making the rectangles are light blue, the printer will probably have to adjust his equipment.

- Top of sheet: At the top of the sheet above the printing, enter the type of election or primary, such as ANNUAL TOWN ELECTION, STATE PRIMARY, PRESIDENTIAL ELECTION. If the tally sheet is to be used in a primary, enter in large letters the name of the party, DEMOCRATIC or REPUBLICAN, or the party abbreviation or initials. A separate set of block tally sheets for each party will be needed.

  Note: A separate block tally sheet may be prepared for challenged ballots since these ballots will need to be separated from others during a recount. In this case, add "CHALLENGED BALLOTS" at the top of the sheet. (see AFTER ELECTION DAY, XI. RECOUNTS in Volume 4 of this series)

- Block No.: Enter 1, on the first sheet, 2 on the second, etc. so that each sheet to be used in the polling place is numbered consecutively up to the total number of blocks you expect in that polling place. The block numbers may be entered at the polls by election officers just before the votes are entered on the total vote sheet.

  Note: If you are having the supply of tally sheets printed, leave the block number blank until after the printed sheets are received.

- Ward: Leave Ward blank. Applies only to cities.

- Prec.: If the town does not have precincts or is voting by grouped precincts in a state or presidential primary, leave Prec. blank. Otherwise, enter the number of the precinct in which tally sheet is to be used.

- of __________________________ 19: Enter the name of
  (month, day)
  your town and the date of the election.

- Ballots Counted by: Leave both lines blank. The tellers counting the block of ballots must sign on these lines. [Regs. 51.04(15)]

- Offices and Candidates: There are two commonly used methods of preparing this column as follows:

  (1) format one

  Divide the column into two columns by drawing a heavy black line about 3/4" from the left edge of the paper. (see sample on page 275)

  In the first column, enter the abbreviated office title in the same order as the offices appear on the ballot. Enter "Vote 1," "Vote 2," "Vote 3" as applicable in this column under the office title. The number to be voted for appears on the ballot, but it helps the tellers if this is entered on the tally sheet as well. In some towns, the office title is entered on each line to the left of the candidates' names, but this is not required. Draw a heavy black line across the sheet, or leave a row of squares blank, to separate the offices.

  For each office in the first column, enter in the second column the names of the candidates in the same order as they appear on the ballot. Entering the names in exactly the same form as they appear on the ballot is not required. Shorten the names somewhat by using initials instead of the given or middle name if necessary.

  Note: On a tally sheet being prepared for a presidential primary enter "no preference" under the office of President as though it were a candidate. The votes cast opposite no preference must be counted. For town committee candidates, enter the names in the order in which they appear on the ballot. If there is more than one group of candidates, separate the groups by a heavy line drawn across the sheet under the name of the last candidate in each group. A vote may be cast for all candidates in a group by placing an X in the group circle at the top of the column on the ballot. Enter GROUP 1, GROUP 2, etc.

in the office column on the tally sheet. However, enter "blanks" and "total" on the tally sheet only after the name of the last candidate for town committee since the voter may vote for some candidates in each group and for some candidates not in a group as long as he votes for not more than the permitted number.

If you expect there will be a number of write-in votes, or if there is no candidate's name on the ballot for a particular office, leave several lines blank under that office. If you know the names of write-in candidates, such as those for president/vice-president in a presidential primary, or announced write-in candidates in a town election, the names may be entered in these blank spaces. Add (write-in) next to the name so that the tellers will know the name will not appear on the ballot.

After the blank spaces for write-in candidates, "all other" or "scattering" may be entered. This provides space for the tellers to record write-in votes cast for individuals, each of whom receives only a vote or two in the block of ballots. In some towns, all write-in votes are recorded by name and address and "scattering" or "all other" is not used on block tally sheets. In this case, leave extra blank lines under each office on the tally sheet.

Note: In this manual, only the term "scattering" will be used to denote one or two write-in votes for several different individuals.

On the next line under "scattering," enter "blanks." If two or more persons can be elected to the office, more than one row for blanks may be needed to be certain the tellers have enough room to record them. In a presidential primary, it is likely that there will be many blanks cast for the office of town committee and several rows for blanks may be needed.

Note: Blanks may be entered as a number rather than a line for each blank. If so, only one row will be needed. (see ELECTION DAY, XVI. B. 9. in Volume 4 of this series)

On the next line under "blanks," enter "Total." In some towns, total is entered on this line so that the tellers will have a box in the right hand column entitled TOTALS in which to enter the total number of ballots in the block, or twice the total number if two may be elected, etc. for each office. The rest of the boxes in this row on the sheet will be left blank, or marked with a dotted line, to provide a divider between offices.

Continue entering the information in the office and candidate columns until all offices on the ballot have been included. If there are too many candidates to fit on one side of the tally sheet, continue either on the back of the form, or on a second form. If a second form is used, be certain that you enter at the top "Page 1" or "Page 2" and that each team of tellers is given both pages of the tally sheets. In either case, it is suggested that you not split an office between the front and back of a tally sheet, or between two pages, since this makes counting more difficult for the tellers.

(2) format two

Do not divide the column entitled offices and candidates. Instead, enter the office title on the first line. Usually the office title is typed in capital letters and underlined. Enter the candidates' names on the second and subsequent lines until all candidates for that office have been included. Then leave a few lines blank for write-in votes. On the next two lines enter "Blanks" and "Total."

Continue entering information until all offices have been included. (see sample on page 276)

- candidates (column at right edge of sheet) Enter the last names of each candidate, leave the same number of spaces for write-ins as appear in the column on the left, enter "scattering," "blanks," and "total." Also enter "Vote 1, Vote 2" etc. Having this information entered on both sides of the tally sheet helps the tellers record votes in the correct rows.

- questions: The information needed on the tally sheet for questions is entered in the office and candidate column. Enter "QUESTION 1" or "Q.1." in the office column. Instead of a candidate's name, enter "YES" on the first line assigned to the question. Enter "NO" on the second line. Enter "Blanks" on the third line. "Total" may be entered on the fourth line. Draw a heavy black line to separate question 1 from question 2. Note that you do not need any entry or row for "scattering" since no write-in votes will be cast on questions.

Continue entering the information as above until all ballot questions have been included on the tally sheet.

2. Write-in Tally Sheet

If a large number of write-in votes is expected, a separate write-in tally sheet may be provided. Such a sheet would not usually be needed unless there is no candidate's name on the ballot under a particular office. Enter the information at the top of the sheet the same as on other block tally sheets except that the word "WRITE-INS" should be added. Enter in the office column only the office for which the write-in votes are expected. If there is an announced write-in candidate, his name may be entered. (see ELECTION DAY, sample in Volume 4 of this series) In some towns, write-in votes are entered on scratch paper, if necessary, and then transferred to the block tally sheet after the block has been completed. In this case, the used scratch paper should be attached to the tally sheet.

3. Total Vote Sheet, Form E-231A and Form E-231B (see sample forms on pages 277-279)

At the top of forms E-231A and E-231B is the title "total vote" and 54:105 also refers to the "total vote sheet." However, these same forms are referred to as "total tally sheet" in the list of items available from the Elections Division appearing in the Election Resources Handbook and also in the Regulations. In this manual, the term "total vote sheet" will be used. These two forms are about 24" X 19" on white paper, printed both sides with black or blue ink. The form number appears at the top left corner.

As the name implies, total vote sheets are used to record the totals from each block tally sheet and to obtain and record the total votes cast for candidates and questions in the precinct and in the town. [54:105]

E-231A is designed to record the votes from 13 block tally sheets while E-231B is designed to record the votes from 35 block tally sheets. The total vote sheet most convenient for your town will depend upon whether or not you have precincts and how many blocks of ballots you usually have in each precinct or in your town.

a. number required

(1) towns with precincts

In towns having precincts, at least one total vote sheet for each precinct will be needed. [54:105] For primaries, at least one total vote sheet for each party in each precinct will be needed.

Note: 54:105 specifies that the total vote sheet is considered the precinct record. However, this should not be confused with the election clerk's precinct record which must contain considerable information in addition to what is included on a total vote sheet.

In addition, one total vote sheet will be needed in your office on which to enter the returns from the precincts as you receive them on election night. (see 53:52,64,70F; 54:112) In this manual, the term "town total vote sheet" will be used. On the town total vote sheet, enter "pct" where "block" or the ditto mark appears so that the number in the first column stands for precinct rather than block. Add at the top of the sheet the words TOWN TOTAL. (see ELECTION DAY, XXVI. TOWN TOTAL VOTE SHEET in Volume 4 of this series)

(2) towns without precincts (or with grouped precincts)

In towns without precincts or voting by grouped precincts at primaries, at least one total vote sheet on which to record the votes shown on the block tally sheets will be needed. One total vote sheet for each party will be needed for a primary.

Under certain circumstances, two or more total vote sheets may be needed. For example, if 3,000 votes are cast in your town, there will be 60 blocks of 50 ballots each. There is space for only 35 blocks on form E-231B. In this case, two Forms E-231B may be prepared, entering 30 blocks on each. Enter SHEET A at the top of one sheet and SHEET B at the top of the other. The total votes from sheet A would be added to the total votes on sheet B to obtain town totals. (see sample on page 279)

Note: If all offices, candidates and questions will fit on the top half of the total vote sheet, the entries may be repeated on the bottom half. Or the back of the sheet may be used. However, in either of these cases, two teams of election officers cannot work at the same time entering the totals from the block tally sheets.

In towns without precincts or voting by grouped precincts, a separate town total vote sheet is not needed.

b. preparation

Since they do not conveniently fit into a typewriter, the total vote sheets are usually prepared by hand as follows:

- top of sheet: At the top of the sheet on the right above the printing, enter the type of election, such as ANNUAL TOWN ELECTION, STATE ELECTION, PRESIDENTIAL PRIMARY. If a primary, enter DEMOCRATIC or REPUBLICAN or the abbreviation or initial for each party. A separate total vote sheet is needed for each party. In towns voting by precincts, add TOWN TOTAL on the sheet used to record precinct returns.

- Total Vote __________: Leave blank. The total number of ballots cast may be entered on this line after the votes have been counted.

- Wd.: Leave this line or space blank. Applies only to cities.

- Prec.: Enter the number of the precinct in which the tally sheet is to be used. Leave the item blank on the town total vote sheet used to record the precinct returns. Leave blank if you do not have precincts or are voting by grouped precincts.

- City or Town of ________: Enter the name of your town.

- ____________19____: Enter the date of the election.
  (month and day)

- (write titles of offices on this line) [the first row on the form]: Enter the name of the office. For primaries, the party initial may be added. For example "D-President;" "D-State Committee Woman," D-State Committee Man," etc.

- second row: In the second and subsequent columns of the second row, enter the surnames of candidates in the same order across the page as they appear on the ballot and on the block tally sheet. Leave the same number of blank columns for write-in votes on the total vote sheet as there are blank rows on the block tally sheet. For example, if there are 5 blank rows on the block tally under the first office, leave 5 blank columns under the first office on the total vote sheet. After the blank columns enter "scattering" in the next column and "blanks" in the next column. "Total" may be entered in the next column.

Note: 54:105 requires that the total number of ballots cast be entered on the total vote sheet. This number can be entered in the clerk's certificate (see page 195) or after TOTAL VOTE at the top of the sheet rather than in a column under each office. (see sample on page 277)

- block #: The numbers of the blocks have already been printed on the total vote sheet. No entry needs to be made in this column unless you want to adjust the total vote sheets to fit the specific circumstances. For example, in a town without precincts, if Form E-231B is used and there are 30 blocks on each of two total vote sheets, enter on the first sheet "Total Vote A" in line 31 and "Total Vote B" on line 32. This will provide space on the sheet to combine totals from both and enter the grand total on sheet A. In this case, enter Grand Total in the row for totals. (see sample on page 279)

  Note: If you count absentee ballots received on election day in the office, a row will be needed on the total vote sheets in which to enter the totals from the block tally sheet. Also a row will be needed for escrow ballots and at November elections, for overseas absentee ballot totals. In towns voting by precincts, these totals must be entered on the precinct total vote sheet. If any partial ballots have been cast at presidential elections, a row will be needed only on the town total vote sheet.

- divide offices: The offices may be entered in order down the right side of the total sheet in the space provided above each set of blocks. In this case, Form E-231A would probably be used. For example, there is room for 4 offices on Form E-231A, each divided by the heavy lines already printed on the form. Enter the 5th - 8th offices in a column next to the first four. Enter the 9th - 12th offices in a column next to the second four offices. Draw a heavy black line or mark Xs in a column to divide the columns of offices. (see sample on page 277)

The offices may be entered in order across the top of the total vote sheet. Draw a heavy line or mark Xs in a column to divide the offices. When the first set of rows is full, enter the next office at the left side of the second set of rows. (see sample on page 279)

If there is not enough room on the row to enter all the candidates' names, write-ins, scattering, blanks and total for a particular office, start that office on the next row or to the right of center where the block numbers are repeated. If an office is split between rows or between the left and right half of the sheet, recording votes will be more difficult.

- election clerk's certificate: [54:105] The election clerk must enter the following information on the total vote sheet:

  -- the total number of names checked on the voting list
  -- the total number of ballots cast
  -- the names of all persons voted for and the title of the office
  -- the number of votes for each person
  -- the number of blank ballots cast for each office
  -- the number of affirmative and negative answers to each ballot question

  The election clerk must also certify that it is a true record of the election. The clerk's certificate may be typed or written directly on the total vote sheet as follows:

SAMPLE ELECTION CLERK'S CERTIFICATE

This is to certify that the titles of the offices, the number of votes cast for each candidate for each office [and the number of affirmative and negative votes with respect to each question] and the blank ballots for each office [and question], as shown above on this tally sheet is a true record of the election [Democratic/Republican primary] held on [date] in precinct [#].

This to further certify that

the number of names checked on the voting lists was ________;

and the total number of ballots cast was _________.

Election Clerk/Deputy Election Clerk ______________________________
(signature)

Warden/Deputy Warden ______________________________________
(signature)

SAMPLE SHORT FORM OF CLERK'S CERTIFICATE

This is to certify that _________ names were checked on the voting list and that ________ ballots were cast.

A true record, Attest: ________________________________
Clerk/Deputy Clerk

____
Warden/Deputy Warden

Note: If both the clerk and the warden sign this certificate, the requirements in Regulations 51.04(22) will be met.

In this certificate a separate item for the number of names checked on the voting list of voters who cast absentee ballots may be entered although this is not required.

If the entire front side of the total vote sheet is not needed, the sheet may be trimmed. The full size total vote sheet is more difficult for election officers to use.

C. VOTING MACHINE TOWNS

In tabulating votes, total sheets shall be used upon which shall be set down the total number of votes cast for each candidate and the total number of yes and no votes cast for each question as recorded by the voting machines. [54:35B]

The total votes cast by challenged and absentee voters shall be recorded separately or on separate total sheets and added to the total vote cast by the use of the voting machine for each candidate and each question. [54:35B]

In most towns having voting machines, the block tally sheet and the total vote sheet are both used.

1. Block Tally Sheet, Form E-230 (see sample form on page 275)

Block tally sheets are used only for recording votes cast on absentee and challenged ballots and in some elections, for recording write-in votes.

a. absentee and challenged ballot tally sheet

The information given under B. 1. a. on pages 185-186 applies to block tally sheets to be used for absentee and challenged ballots. Usually not more than 4 block tally sheets are needed for each precinct or for the town, if no precincts or voting by grouped precincts, since the largest proportion of ballots will be cast on the voting machines.

The procedures outlined under B. 1. b. apply as well, except that ABSENTEE/CHALLENGED BALLOTS should be added at the top of each tally sheet along with the type of the election and the party name or initial if for a primary.

Note: A separate block tally sheet may be prepared for challenged ballots. If so, enter ABSENTEE BALLOTS on one sheet and CHALLENGED BALLOTS on the other.

b. write-in tally sheet (see sample on page 280)

If you expect a large number of write-in votes to be cast, it is usually much easier, though not required, to have these write-in votes recorded on a block tally sheet arranged specifically for the purpose. The write-in candidates' names and number of votes for each can then be transferred to the total vote sheets. (see Regs. 52.04 (9)(c))

If however, you expect very few or no write-ins, the write-in votes can be entered on the total vote sheet directly under "scattering" or in a column having no title and a separate block tally sheet would not be needed.

c. preparing write-in block tally sheet

- top of sheet: Enter type of election, and party if for a primary as outlined under B. 1. b. and add WRITE-IN VOTES.

- Block No. Ward, Prec, etc.: Enter information outlined under B. 1. b.

- Offices and Candidates: Divide this column into three columns. The first two columns may be about 3/8 - 1/2" wide. At the top of the first column, enter "Mach. #." At the top of the second column enter "Col. #." This column number refers to the number appearing on the write-in paper indicating the office for which the write-in vote was cast. The tellers entering the votes on the total vote sheet will need to know both the machine number and the column number in order to enter the write-in votes in the correct location. At the top of the third column "Name of" may be entered above "candidates."

  A fourth column may be made by drawing a heavy black line down the entire length of the paper after number 10 in the "offices and candidates" row. Enter "address" at the top of this column. The town clerk is required to issue a certificate of election to town committee members following a presidential primary [53:70F], and to notify a write-in candidate after a primary [53:35B,64]. The town clerk is also required to notify candidates of the time and place of a recount. [54:135] If there is more than one voter with the same or a similar name, you will need to know the address entered on the write-in paper to be certain the certificate or notice is sent to the correct person. The write-in paper itself will be sealed in the fibreboard box which should not ordinarily be unsealed until after the deadline for keeping ballots has expired or until a recount begins.

- divide rows: Allow about 10 rows on the block tally sheet for each machine and draw a heavy black line across the sheet to divide the machines. Enter the machine number in the first column as shown in the sample.

Both front and back of the sheet may be used. If a large number of machines is being used at the polling place, two write-in tally sheets may be needed to provide enough space for each machine. A row for each vote found on the write-in paper is not needed since the various forms of a write-in candidate's name and address may be grouped together as long as the voter's intent is clear. For example, a write-in for John J. Jones, 15 Center St. and a write-in for John Jones, Center Street, can be entered on the tally sheet as two votes for John J. Jones, 15 Center Street.

2. Total Vote Sheet, Form E-231A, E-231B, E-231M (see sample forms on pages 281-284)

In voting machine towns, the total vote sheet may be a Form E-231A, E-231B or E-231M.

a. Form E-231A and E-231B

If form E-231A or E-231B are used, follow the procedures outlined under B. 3. on pages 190-192, except as follows:

- enter "MACHINE NO." in the first column in the square above "block 1," and enter the voting machine numbers in the first column where block numbers are printed on the forms. Or, the second and third columns may be used to enter the machine numbers.

  A row in which to enter the machine vote totals will be needed, and at least one row, possibly two or more, for the absentee and challenged ballot block totals. For example, the words "mach. total" can be entered in the space for block 9 and "Abs. Bal. 1" for the first block of absentee ballots can be entered in the space for block 10. If there are two blocks of absentee ballots, enter "Abs. Bal. 2" in the space for block 11. The grand total, machine votes plus absentee votes, would then be entered in the row opposite the printed word TOTALS. It is suggested that a heavy black line be drawn just above "mach. total" so that the tellers will notice it when calculating the grand total. (see Regs. 52.04(27),(28),(29)) (also see Note: under B. 3. b. - block # on page 193 relative to absentee ballots counted in the office, escrow ballots, etc.)

  Note: If the votes from more than 10 machines are to be entered on the total vote sheet, Form E-231B having 35 rows may be used. Or, two forms E-231A may be used, dividing the machines between the two sheets. Put "Machine Block 1" at the top of one sheet, and "Machine Block 2" at the top of the second sheet. In the block row under "mach. total" on the first sheet, enter "Mach. Block 2." In the same row on the second sheet, enter "Mach. Block 1." In the next row, enter "Abs. Bal." A teller team would be assigned to each total vote sheet. The team finishing the machine count first can enter the absentee votes on its sheet and then add the other block of machine votes to obtain the grand total. (see sample form on page 283)

- in the box containing a candidate's surname, enter the column number and letter corresponding to his candidate counter. For ballot questions, enter the column numbers in the boxes containing "Yes" and "No."

  Note: In some towns, the column number and letter are not entered on the total vote sheet. Instead, the tellers are given a machine ballot label or specimen ballot for reference.

- leave some columns for write-in candidates if you expect a number of write-in votes to be cast, particularly for offices where no candidate's names appear on the candidate label. Enter the column numbers which may be used for write-in for each office. For example, if assessor appears in column 5, write-in votes for that office must appear in column 5 on the write-in paper. If, however, the office "library trustee" appears in columns 14 and 15 on the ballot, a write-in vote for that office may be entered in either column 14 or column 15 and both column numbers should appear on the total vote sheet.

- enter the column headings "scattering," "blanks," and "total."

54:35B does not require that blanks be entered on the total vote sheet or announced. In some towns, the column for blanks is omitted since the blanks are obtained simply by subtracting the sum of the votes cast for candidates from the total number of votes recorded on the public counter. In other towns, the total blanks for each office are calculated and entered only after the total machine vote has been obtained. (see sample on page 284) However, errors can sometimes be detected if blanks are entered for each machine and the tellers balance the votes when the totals for each office have been obtained. In any case, the total number of blanks for each office and question must be calculated and entered on the town total vote sheet. (see ELECTION DAY, XXIII. TOWN TOTAL VOTE SHEET in Volume 4 of this series)

In addition, the total number of votes for each machine is sometimes entered only once on the total vote sheet in the first column after machine number, rather than under each office. (see sample on page 283) In this case, if tellers are to calculate and enter blanks, they must refer back to the first office and remember to multiply the total vote cast on a particular machine by the number of persons to be elected to the office.

The election clerk's certificate similar to that shown in the sample on page 195 should be added to Form E-231A or E-231B.

The unused portion of the total vote sheet may be trimmed off to make the sheet more manageable for the tellers.

b. Form E-231M (see sample form on pages 281-282)

Form E-231M is 8 1/2" X 14" printed on one side only with black ink. It may be duplicated on most regular office copiers. If this form is used, the tellers are usually not required to calculate the blanks for each machine and the column for blanks under each office is omitted from a precinct total vote sheet. Form E-231A may be used as the town total vote sheet to record the returns from the precincts and the total number of blanks for each candidate must be entered on this sheet. However, Form E-231M may also be used for the town total vote sheet if a column for blanks is provided. (see sample on page 282)

Several pages of Form E-231M will usually be needed to include all offices and candidates. Be sure to number each page in the set and give the tellers a complete set. The pages of a set may be stapled together.

The total number of votes cast on each machine as shown on the public counter appears only in the second column entitled VOTES CAST. The total number of votes on each machine needs to be entered only on the first sheet of each set.

Note: An entry in the row entitled WARDS AND PRECINCTS is not needed since this information is entered at the top of the sheet. An entry in the row entitled WRITE-IN is not needed since the total write-in vote is entered in the row entitled TOTAL.

The clerk's certificate as shown in the sample on page 195 should be typed on the last page of the total vote sheet set. However, the words "and the blank ballots" in the sample would be omitted from the precinct total vote sheet.

D. PUNCH CARD TOWNS

In punch card towns, both the block tally sheets and the total vote sheet are needed for each precinct whether the votes are counted in the precinct or in a central tabulation center. If all votes are counted in the precinct, a set of prepared sheets would be transmitted to each precinct with other election materials on election day.

In most towns having a central tabulation center, a set of sheets for each precinct is prepared for use in the tabulation center only, since no ballots are counted in the precincts. If, however, some ballots are hand counted in the precinct, tally sheets would be needed at that location. In this case, a separate set of sheets would not be prepared for use in the tabulation center since the precinct sheets would be transmitted to the center in the metal carrying case with the cast ballots.

In towns voting by precincts, a town total vote sheet will be needed to record the returns from the precincts.

A separate set of block tally and total vote sheets will be needed for each party in a primary.

1. Block Tally Sheet

a. damaged, computer rejected or over-voted punch cards

A block tally sheet is needed to record the votes on punch card ballots which must be hand counted either because they are damaged or they are write-in over-voted. These block tally sheets may be prepared as outlined under B. 1. b. on pages 186-190 except that REJECTED CARDS should be added at the top of the sheet. [Regs. 55.09(2)] Also, unless the Datavote system is used, each candidate's number will need to be added on the block tally sheet so that the teller will know to whom to assign the vote punched on the card. Lines may be added for the warden's and election clerk's signatures.

One block tally sheet is needed for each precinct in which over-voted or damaged cards are found.

Note: In some towns, there are usually so few damaged, computer rejected or over-voted, only a blank block tally sheet is provided. The election officers in the precinct or the tabulation center prepare it, if needed. Or, the votes are entered directly on the total vote sheet.

b. write-in votes

A block tally sheet is also needed for each precinct to record valid write-in votes found on the gray envelopes. [Regs. 54.04(17)] The block tally sheets should be prepared the same as a block tally sheet under B. 1. b. with the following exceptions:

- top of sheet: Add WRITE-IN VOTES.

- offices and candidates: The number of persons to be elected to each office does not need to be entered. Only the names of announced write-in candidates are entered on the tally sheet before the election. The candidate number is not entered since the voter is required to enter the title of the office on the write-in envelope next to the candidate's name.

  A column in which to include the address of the write-in candidate may be provided by drawing a heavy black line the length of the sheet after number 10 in the offices and candidates rows. (see C. 1. c. on page 197)

  If very few write-in votes are expected, all the offices would not need to be entered and the tellers can enter only those offices for which a write-in vote is found. If, however, there is a large number of write-in candidates for a particular office because no candidates' names appear on the ballot, most of the space on the write-in tally sheet may be assigned to that office.

  Note: 54:105A does not specifically provide for counting write-in votes. However, Regs. 54.04(17) provides that write-in votes are to be recorded on block tally sheets.

c. absentee ballots

54:105A provides that "any absentee ballots shall also be counted in the precinct, by teams of two officers of opposing parties, detailed by the presiding officer." However, this provision relates to absentee ballots prior to the time punch cards could be used for such ballots. The Regulations 54.03(27), now require that absentee ballots used with punch card systems shall be punch card ballots. Absentee ballots are counted along with other punch card ballots by computer unless they are damaged or there is a write-in over-vote.

2. Total Vote Sheet (see samples on pages 285-286)

The count of absentee ballots and over-voted ballots shall be entered on sheets provided for the purpose [block tally sheets], and the total transferred to the precinct total sheet and signed by the precinct warden and clerk. [54:105A] (see D. 1. c. above for absentee ballots)

Regs. 55.09(3) requires that when the rejected and write-in over-voted card count is completed and the votes totalled, the totals from the tally sheets shall be entered on the precinct total tally sheet. Regs. 55.10 (1) provides that the machine record (computer count), the totals of write-in and any paper absentee ballots counted at the polling place (see D. 1. c. above for absentee ballots), and the totals of rejected and write-in over-voted ballots counted by hand at the tabulation center, shall be added on the precinct total tally sheet, and the sheet shall then be signed by the warden and clerk.

In this manual, the term "total vote sheet" will be used for the precinct total tally sheet. Note that in towns not voting by precincts the total vote sheet may also be used as the town total vote sheet. (see ELECTION DAY, XXIII. TOWN TOTAL VOTE SHEET in Volume 4 of this series)

The total vote sheet shall contain the following information:

- the number of names checked on the voting lists
- the total number of ballots cast
- the names of all persons voted for
- the number of votes for each person and the title of the office for which he was a candidate
- the number of blank ballots for each office
- the number of yes and no votes in answer to each question
- the signature of the warden and the clerk at the tabulating center. [54:33H; Regs. 55.10(1)]

This information is the same as that required to be entered on the total vote sheet under 54:105 related to paper ballots. A certificate similar to that appearing on page 195 should be added to the total vote sheet.

The total vote sheet on Form E-231A may be prepared the same as the total vote sheet for paper ballots under B. 3. on pages 190-194, except that "computer count" may be entered in the space for "Block 1" and "computer rejects" or "hand count" may be entered on the next line. Blank rows may be used for write-in votes. (see sample on page 285) (also see Note: under B. 3. b. - block # on page 193 relative to absentee ballots counted in office, escrow ballots, etc.)

A total vote sheet may also be prepared by entering the offices and candidates in the rows under the second and third columns. "Computer count" would be entered at the top of the fourth column. "Hand count" at the top of the fifth column. "Write-in" at the top of the sixth column and, subsequent columns, if needed. "Total" at the top of the last column assigned to the office. (see sample on page 286)

In towns voting by precinct, a town total vote sheet should be prepared. Substitute the precinct number for "computer count," "hand count," etc. and add TOWN TOTAL at the top of the sheet.

In some towns, a form is prepared by the town clerk for use as a work sheet. (see sample form on page 287) The results shown on the computer printout, the total votes from hand counted ballots and from write-in ballots are entered. Adjustments in the number of blanks required by the write-in votes are made on this form. (see ELECTION DAY, XVI. COUNTING VOTES, in Volume 4 of this series) Then the adjusted votes are entered on the total vote sheet.

III. ENVELOPES

Several types of envelopes are used to send official election material to the polling places, or to return such material to the town clerk's office after the votes have been counted and announced. Some of these envelopes and their contents are sealed inside the fibreboard boxes and others are returned separately.

Most of the envelopes should have certain information entered on the outside. The envelopes can be printed commercially if a large number is needed. In most towns, they are prepared by typewriter or by hand in the town clerk's office. Commercially available gummed labels can be used. (see sample gummed label on page 288) In any case, the envelopes may be packed into the boxes with other election material to be transmitted to the polls. If necessary, however, most of these envelopes can be sent to the polling places during election day since they will not be needed by the wardens or clerks until after the polls close.

Note: Envelopes for other items, such as counted escrow and overseas absentee ballots and ballots protested during a recount may be needed after election day. These envelopes are covered under the related sections elsewhere in this manual. Also, information on envelopes to be used with absentee ballots and to be used to transmit voted absentee ballots to the polling places is given in ABSENTEE BALLOTS elsewhere in this manual.

A. ALL TOWNS

1. Total Vote Sheet Envelopes

Regardless of the type of voting system you have, the election officers will need an envelope in which the total vote sheets should be sealed for return to the town clerk's office. [54:35B,105; Regs. 51.04(31), 52.04(31), 55.10(2), 55.11(2)]

The following information should appear on the outside of the envelope so that it is properly identified:

- the type of election
- the date of the election
- the precinct number, if any
- polling place location
- a statement of what is sealed in the envelope
- spaces for both the warden and the election clerk to sign.

In some towns, instructions that the envelope is not to be sealed in a box containing voted ballots or other official election material are also printed or typed in large letters on the outside of this envelope. The envelope will need to be opened on election night to check the entries and if voting by precincts, to prepare the town total vote sheets. The boxes containing ballots or election material should remain sealed after the election for a specified time.

In many towns, a manila clasp envelope is used for total vote sheets and 10" X 13" is a convenient size, if Forms E-231A or E-231B are used. A block envelope, Form E-230A, may also be used but the words "Block" and "Number of Ballots" should be crossed out and the information shown in the sample below should be added.

SAMPLE TOTAL VOTE SHEET ENVELOPE

PRESIDENTIAL ELECTION
NOVEMBER 8, 1984

TOWN OF MIDTOWN
MASSACHUSETTS

PRECINCT 1
CENTER SCHOOL

This is to certify that this envelope contains the tally sheet(s) on which the votes cast in precinct 1 at the Presidential Election of November 8, 1984 have been recorded.

Warden/Deputy Warden ______________________________
(signature)

Clerk/Deputy Clerk ________________________________
(signature)

ENCLOSE AND SEAL TALLY SHEETS IN THIS ENVELOPE AND RETURN TO THE TOWN CLERK. DO NOT SEAL THIS ENVELOPE IN THE FIBREBOARD BOX WITH BALLOTS OR OTHER ELECTION MATERIALS.

If the envelope is printed commercially, the printed town seal, the instructions and lines on which to enter the information shown above are usually included. The information is entered prior to each election by hand or typewriter.

In punch card towns, the certificate should be adjusted to read as follows:

> This is to certify that this envelope contains the precinct total vote sheet and the computer printout on which votes cast in precinct 1 at the Presidential Election of November 8, 1984 have been recorded.

Note: The certificate above would appear on the envelope used to return the tally sheets and computer printout to the town clerk. If the town has a central tabulation center, tally sheets used in the precinct, if any, should be enclosed in the box with the punch card ballots for transmittal to the tabulation center. The certificate above and the instructions shown in the sample on page 203 would not apply until after the ballots were counted at the central tabulation center and materials were ready for return to the town clerk. The total vote sheets and computer printouts for all precincts may be enclosed in the same envelope at a central tabulation center and the certificate adjusted accordingly.

2. Block Tally Sheet Envelope

The General Laws and the Regulations do not specify how or where the block tally sheets should be sealed. The Regulations 51.04(15) (paper ballots) and 52.04(22) (AVM voting machines) require the tellers to place the block tally sheet in the block envelope with counted ballots and return them to the election clerk.

In most paper ballot towns, the block tally sheets are sealed in the block envelopes with counted ballots and then sealed in the fibreboard box. In some voting machine towns, the block tally sheets for absentee/challenged ballots and write-in votes are sealed in the envelope with the total vote sheet. In punch card towns, the block tally sheets may be enclosed with the hand counted ballots or with the counted gray write-in envelopes as appropriate or in the envelope with the total vote sheets. In these cases, a separate block tally sheet envelope is not needed.

Note: The Regulations for punch card towns, require that the block or total paper absentee tally sheets be sealed in the envelope with total vote sheet. [Regs. 55.10(2)] However, paper absentee ballots are no longer used.

3. Voting List Envelopes

Regardless of the type of voting system you have, after the names checked on the voting lists have been counted and recorded, the lists must be sealed in an envelope for return to the town clerk's office. [54:35B,105,105A,107; Regs. 51.04(5), (32); 52.04(8); 54.04(4),(19); 55.11(2)]

Note: The absentee voters list referred to in Regs. 54.04(19) is the list of nonregistered specially qualified voters.

In many towns, a manila clasp envelope is used for sealing the checked voting list(s). The size needed will depend upon the size of the voting lists used. The information on the envelope is the same as that shown under A. 1. on page 205, except that the statement of contents should be adjusted to read as follows:

> This is to certify that this envelope contains the checked voting list(s) used in precinct 1 at the Presidential election held on November 8, 1984.

Also, in the instructions at the bottom of the envelope substitute the words VOTING LISTS for the words TALLY SHEETS. Spaces should be provided for both the warden and the election clerk to sign the certificate the same as shown on the sample under A. 1. [54:107] It is helpful if lines are also included on which to enter the number of names marked on the list. This sealed envelope should be returned to the town clerk outside of the ballot container or fibreboard box. (see Regs. 51.04(32))

Note: In punch card towns, the voting list may be returned to the town clerk sealed in its envelope and inside the box containing election materials, but not inside the metal carrying case containing voted punch card ballots. [Regs. 54.04 (18),(19); Regs. 55.11] However, if sealed in the fibreboard box, the box will probably have to be opened soon after the election to retrieve the list for copying or for public inspection. (see 54:108) If so, the box should be resealed.

4. Ballot Box Key Envelope

Ballot box keys are not required to be kept in an envelope, but doing so will help prevent their being lost or misplaced.

In some towns, a coin size manila clasp envelope is used for the ballot box keys. The envelope is prepared as shown in the sample below.

SAMPLE BALLOT BOX KEY ENVELOPE

TOWN OF MIDTOWN

BALLOT BOX KEYS

PRECINCT 1

Since the same keys are used in every election or primary, you do not need to enter the type of election or the election date.

In some towns, each set of keys is sealed in a separate envelope. In other towns using more than one ballot box at the polling place, the keys are sealed together in one envelope. In some towns, the ballot box keys are sealed first in the envelopes and then in a fibreboard box with other official election material for transmittal to and return from the polling place. Or, the keys may be transmitted and returned outside of the fibreboard box. (see Regs. 51.04(33)) In that case, it is suggested that ballot box keys be placed in an envelope at least 6 1/2" x 9 1/2" since that size envelope will be less likely to be misplaced.

5. Election Clerk's Record

In some towns, the election clerk's record is sealed in an envelope for return to the town clerk on election night. Usually a manila clasp envelope is used. Prepare the envelope as shown in the sample total vote sheet envelope under A. 1. on page 206, except that "election clerk's record" should be substituted for "tally sheet(s)" in the certificate.

6. Envelope for Certificates

The supply of certificates needed at the polls on election day may be placed in an envelope prior to being packed in the boxes for transmittal to the polls. Usually a manila clasp envelope is used and a list of the certificates enclosed is entered on the outside. (see IV. CERTIFICATES AND AFFIDAVITS on page 216 for certificates which might be enclosed)

7. Escrow Ballot Envelope [51:59A; Regs. 51.03(5A), 52.03(5A), 54.03(6A)]

In all towns, regardless of the voting system used, an escrow ballot may be marked under 51:59A. All escrow ballots marked at the polling place shall be deposited in an envelope designated for such purpose. Block envelopes, Form E-230A, are usually used. They should be prepared as outlined in B. 1. on page 211, except that the words ESCROW BALLOTS should be entered in large letters at the top of the envelope. The block number does not need to be entered on the envelope, nor do the tellers need to sign it since the votes on these ballots do not get counted on election day. However, the warden and clerk may sign the envelope. In that case, WARDEN/DEPUTY WARDEN and CLERK/DEPUTY CLERK should be substituted for TELLER in the two places shown on the sample.

An escrow ballot envelope will be needed for each polling place. For a primary, an envelope for each party will be needed.

An escrow ballot envelope may also be needed in the office for escrow ballots marked at that location.

8. Challenged Ballot Envelope [54:76B,85; Regs. 51.03(23), 52.03(19), 54.03(19)]

Regardless of the voting system used, voters may be challenged and permitted to vote only on challenged ballots. After being removed from the ballot box, these ballots may be separated from other ballots and counted in a separate block. Separating challenged ballots may expedite a recount if one is held following the election. (see AFTER ELECTION DAY, XI. RECOUNTS in Volume 4 of this series)

If separated, a challenged ballot envelope will be needed. A block envelope, Form E-230A, should be used and prepared as outlined in B. 1. on page 211, except that the words CHALLENGED BALLOTS should be entered in large letters at the top. For primaries, an envelope will be needed for each party.

Note: In punch card towns, an envelope will be needed for the gray write-in envelopes related to challenged ballots whether or not the challenged punch card ballots are separated from others for sealing. (see D. 4. on page 215)

9. Defective Ballot Envelope [54:80,106; 56:25,53; Regs. 51.04(17),(25), 52.04(24), 54.04(9)]

Ballots cast but not counted shall be marked "defective" on the outside thereof and shall be preserved like other ballots. [54:106] A defective ballot is one on which the voter has made a mark by which he can be identified, such as writing his name, his initials or some symbol generally associated with him. [54:80; 56:25,53]

Defective ballots may be placed in a block envelope prepared as outlined in B. 1. on page 211, except that the words DEFECTIVE BALLOTS should be entered in large letters at the top of the envelope. The block number does not need to be entered nor do the tellers need to sign the envelope since these ballots are not counted. For primaries, two envelopes would be needed, each marked with the party name or initial.

However, it is unlikely that there will be any such ballots, or at most only one or two of these ballots at any election or primary. In addition, the Regulations require that defective ballots be counted as a blank for every office and question and do not require that the ballots be sealed separately. [Regs. 51.04(17), 52.04(24), 54.04(9)]

Note: The term "defective ballot" in 54:106 refers to those ballots cast at the polling place, including absentee ballots, which have been deposited in the ballot box but which were found to be defective during the counting process. The term "defective" is also used to refer to absentee ballots when the affidavit on the inner ballot envelope is defective. However, these absentee ballots are not deposited in the ballot box and would not be enclosed in the defective ballot envelope with ballots cast but not counted. (see 54:95) A separate envelope may be prepared for absentee ballots rejected as defective or rejected as voted in person. The envelope should be clearly marked "Rejected Absentee Ballots."

B. PAPER BALLOT TOWNS

1. Counted Ballot Envelopes [Regs. 51.04(15)] (see sample on page 289)

Block envelopes, Form E-230A, provided by the Elections Division, must be used to enclose and seal the counted paper ballots. One block envelope will be needed for each block of paper ballots cast in the election. Estimate the number of blocks based upon the number of ballots cast at a previous election of the same type and the number of ballots you plan to include in each block. It is suggested that extra block envelopes be provided in case you have underestimated the number needed.

For identification, the date and type of election, precinct number and polling place may be entered on the block envelope at the top. In some towns, the block number is added before the envelopes are sent to the polls. In other towns, the election officers at the polls enter both the block number and the number of ballots to be enclosed in the envelope.

The tellers who count the ballots enclosed in the envelope should sign the envelope. [Regs. 51.04(15)] Lines for the tellers' signatures may be added and will help remind them to sign.

In primaries, a set of block envelopes will be needed for each party. [53:39] Enter the name of the party or the party initial in large letters at the top the each envelope.

Note: In most paper ballot towns, the block tally sheet is also enclosed in the block envelope with the counted ballots.

2. Spoiled Ballot Envelope [54:81,89; Regs. 51.03(12)]

An envelope for spoiled ballots will be needed at each polling place and a block envelope, Form E-230A, is usually used for this purpose. [54:81; Regs. 51.03(12)] In primaries, separate spoiled ballot envelopes will be needed for each party.

Prepare the spoiled ballot envelope the same as outlined in B. 1. on page 211, except that the words SPOILED BALLOTS should be entered in large letters at the top of the envelope and a block number is not needed. The tellers do not need to sign this envelope since these ballots are not counted. However, the warden and clerk may sign the envelope. In that case, WARDEN/DEPUTY WARDEN and CLERK/DEPUTY CLERK should be substituted for TELLER in the two places shown on the sample.

The number of spoiled ballots enclosed will be entered by the election officer after the polls close. A summary of procedures for spoiled ballots may be taped to the outside of the envelope.

An envelope may be needed in the office for spoiled ballots returned by absentee voters [54:89]. A block envelope may be used for this purpose and prepared the same as outlined above. Spoiled absentee ballots do not need to be sent to the polls on election day, but should be sealed in an envelope and securely kept at least as long as the counted ballots must be kept.

C. VOTING MACHINE TOWNS

1. Counted Absentee Ballot Envelopes [Regs. 52.04(22)]

In voting machine towns, a block envelope, Form E-230A, will be needed for sealing each block of counted absentee ballots. It may be prepared as outlined in B. 1. on page 211 except that the words ABSENTEE BALLOTS should be entered at the top of the envelope. In primaries, absentee ballot envelopes will be needed for each party.

If challenged ballots are not separated from absentee ballots, enter the words "ABSENTEE/CHALLENGED BALLOTS" at the top of the envelope. (see A. 8. on page 210)

2. Spoiled Ballot Envelope

In voting machine towns, the only ballots which could be spoiled by voters at the polls on election day would be challenged or escrow ballots or absentee ballots used in case all voting machines failed. Since it is very unlikely there will be any spoiled ballots, it is suggested that only an extra blank block envelope be provided for the election officers to prepare when needed.

3. Voter Authority Certificates Envelope

In voting machine towns, sealing voter authority certificates in an envelope for return to the town clerk is not required by the General Laws, but it is easier to retrieve material from the fibreboard boxes at a recount if voter authority certificates are not loose in the box. In addition, loose certificates are likely to get mixed in with other papers in the box and may be misplaced.

A block envelope, Form E-230A, may be prepared as outlined in B. 1. on page 211, except that the words VOTER AUTHORITY CERTIFICATES should be entered in large letters at the top. For primaries, an envelope for each party marked with the party name or initial will be needed.

4. Voting Machine Key Envelope [54:35; Regs. 52.02(7), 52.04(33)]

The package #7 voting machine key envelopes are prepared by the custodian of voting machines at the time the machines are programmed for the election. After the polls close, the #7-C envelope from this package is completed and the machine keys sealed in it by the election officers.

Note: Some town clerks design machine key envelopes and have them printed instead of using the commercially available #7 packages.

In some towns, the voting machine keys are first sealed in their #7 envelopes, then sealed in a larger clasp envelope for transmittal to the polling places. After the election, they are first sealed in the #7-C envelope and then resealed in the clasp envelope for return to the town clerk. (see Chapter 3 ELECTION FACILITIES & EQUIPMENT, II. EQUIPMENT, H. 2. package #7 on page 98) In this case, the clasp envelope should be clearly marked. Enter the words VOTING MACHINE KEYS in large letters at the top. Enter the precinct number, the polling place, the date and type of election.

The envelope containing voting machine keys may be transmitted to the polls and returned to the town clerk inside or outside the fibreboard box.

In some towns, the voting machine keys are sealed only in the #7 envelope before the election or in the #7-C envelope after the polls close. An elastic is placed around the key packages to keep them together and then they are sealed in the fibreboard box with other official election material. No outside envelope is used.

Note: If a large manila envelope is used for voting machine keys, it may also contain the election clerk's record and the extra copy of the printerpack sheet. If so, the additional contents should be listed on the envelope.

D. PUNCH CARD TOWNS

1. Spoiled Ballot Envelope [54:81,89; Regs. 54.03(12)]

A spoiled ballot envelope will be needed for each polling place and usually a block envelope, Form E-230A, is used. It should be prepared the same as outlined under B. 2. on page 212. For primaries, a spoiled ballot envelope will be needed for each party.

In some punch card towns, a spoiled ballot form is glued or taped to a block envelope or placed inside the envelope. The serial number of each spoiled ballot is recorded on this form. (see sample form on page 290)

An envelope may be needed in the office for spoiled ballots returned by absentee voters. [54:89] A block envelope may be used for this purpose and prepared the same as outlined above. Spoiled absentee ballots do not need to be sent to the polls on election day, but should be sealed in an envelope and securely kept at least as long as the counted ballots must be kept.

2. Envelope for Gray Write-in Envelopes [Regs. 54.04(15)]

An envelope will be needed for each polling place in which to seal the used gray write-in ballot envelopes containing valid write-in votes. In primaries, an envelope for each party will be needed.

A block envelope, Form E-230A, may be used and prepared as outlined in B. 1. on page 211, except that the words WRITE-IN BALLOT ENVELOPE should be entered in large letters on the top of the envelope. A block number does not need to be entered. However, these write-in votes are counted and the block envelope should be signed by the tellers.

In some towns, a printed form is glued or taped to the outside of the envelope or enclosed in it. (see sample form on page 291)

3. Over-vote Ballot Envelope [Regs. 54.04(14), 55.09(1)]

An over-vote ballot envelope will be needed in each polling place. In primaries, an envelope for each party will be needed.

If an over-vote is found upon examination of the gray write-in envelope and the punch card ballot, the ballot must be replaced in the gray envelope. Then both the card and gray envelope must be placed in the "over-vote ballot tally envelope." [Regs. 54.04(14)]

Any damaged punch cards or cards rejected by the computer which must be counted by hand are also placed in the envelope with the over-voted cards. [Regs. 55.09(1)]

A block envelope, Form E-230A, may be used for these over-voted and damaged cards and may be prepared as outlined in B. 1. on page 211, except that the words OVER-VOTED/REJECTED BALLOTS should be entered in large letters at the top.

If there are seldom over-voted or damaged/rejected ballots which must be counted by hand, extra blank block envelopes may be provided which the election officers can prepare on election day, if necessary.

In some towns, a printed over-vote ballot form is glued or taped to the outside of an envelope or enclosed in it. (see sample form on pages 292-293)

Note: In some towns, two separate envelopes are prepared, one for write-in over-voted cards and another for damaged or computer rejected cards.

4. Envelope for Challenged Ballot Gray Write-in Envelopes

An envelope in which to seal the gray write-in envelopes related to challenged ballots will be needed at each polling place. In primaries, an envelope for each party will be needed. These gray write-in envelopes should be kept separate from the write-in envelopes referred to under D. 2. above. The challenged punch card ballots are counted by computer along with other ballots.

A block envelope, Form E-230A, may be used and prepared as outlined under B. 1. on page 211, except that the words CHALLENGED BALLOT ENVELOPES should be entered in large letters at the top. These envelopes are not counted unless there is a valid write-in vote entered.

In some towns, the challenged punch card ballots are placed back in their related gray write-in envelopes after counting.

Then both challenged punch cards and gray envelopes are sealed in the block envelope. This method keeps all challenged ballots separate from other ballots and expedites a recount if one is held following the election. (see A. 8. on page 210)

5. Punch Card Stub Envelope

In some punch card towns, the stubs removed from punch cards at the check-out table are placed in an envelope. If so, a block envelope, Form E-230A, may be used and prepared as outlined under A. 1. on page 205, except that the words PUNCH CARD STUBS should be entered on the outside.

In other towns, the stubs are placed in a box instead of an envelope or are not saved.

IV. CERTIFICATES AND AFFIDAVITS

A. ALL TOWNS

The following certificates and affidavits are used in all towns regardless of the type of voting system.

1. Omitted Voters, or Error in Voter's Name or Address [51:59; Regs. 51.03(5)(a), 52.03(5)(a), 54.03(6)(a)] (see sample certificates on pages 294-296)

a. issued at polls by warden

A certificate shall be signed and issued by the warden at the polling place if it can be determined by communicating with the registrars by telephone or other means that a person's name was omitted from the voting list in error, or that there was an error made in his name or address. These certificates must be in a form, supplied by the registrars, stating the voter's name, address and party enrollment, if any, and must be signed by the warden. They must be available at each polling place. These certificates are commonly called "omitted voter certificates," "certificates of right to vote," "certificate of error" or "warden's certificates." In this manual they will be called "warden's certificates."

The number of certificate forms which should be available at the polls will depend to some extent upon the number of persons dropped from the voting list and upon the type of election. Usually many more certificates are needed for a November presidential election than for any other. If possible, check the records of certificates issued in previous elections to estimate the number needed. In paper ballot and punch card towns, a duplicate of each certificate will be needed so that one can be attached to the check-in voting list and the other attached to the check-out voting list.

In some towns, these certificates are obtained from a commercial printer. In other towns, they are typed and duplicated in the office.

b. issued by the registrars

Whenever the warden, after a reasonable attempt, is unable to determine a person's right to vote, the person may request permission from the registrars. If the registrars determine that the person is entitled to vote, a majority of the registrars must sign and issue a certificate stating the voter's name, residence and party enrollment, if any. These certificates are also commonly called "omitted voter certificates," "certificate of right to vote," or "certificate of error." They are also called "registrars' certificates" or "listing error certificates." In this manual they will be called "listing error certificates" to distinguish them from the certificates signed and issued by the warden at the polls.

The information to be entered on these certificates is the same as that on the warden's certificates. However, they are usually available only at the office rather than at the polls and must be signed by a majority of the registrars rather than the warden.

Usually, fewer listing error certificates are needed since most of the omitted voters will be issued a warden's certificate. In paper ballot and punch card towns, these certificates should be issued in duplicate, one to be attached to the check-in voting list and the other to be attached to the check-out voting list.

In some towns, the board of registrars pre-signs a supply of these certificates for use on election day, or votes to permit the town clerk to affix the registrars' signature stamp. Approval for the issuance of these certificates is obtained by telephone on election day, and ratified at a subsequent formal meeting of the board. Or, the registrars vote prior to each primary and election to authorize the town clerk to issue these certificates, under established guidelines, without contacting the registrars on election day. If pre-signed certificates are provided by the registrars, they should be kept securely so that no unauthorized persons can obtain one.

Note: In some towns, the warden's certificate is also signed by the members of the board of registrars or one form is used for both warden's and listing error certificates. (see sample combined form on page 295)

2. Form for Returning Name to Voting List

In some towns, each person whose name was omitted from the voting list is asked, prior to receiving a warden's or listing error certificate, to complete an application to have his name returned to the voting list. (see sample form on page 297) In other towns, each person is asked to complete a regular census form.

3. Affidavit of Continuous Residence [Regs. 51.03(5)(b), 52.03(5)(b), 54.03(6)(b)] (see sample on page 297)

Prior to issuing a warden's or listing error certificate, the registrars may require that the person sign an affidavit of continuous residence. If these affidavits are used, they must be available at each polling place. They will also be needed at the office unless all certificates are issued at the polls.

In some towns, these affidavits are required only if the person was dropped from the voting list more than one year prior to the election. In other towns, they are required of all omitted voters regardless of the year in which they were dropped.

4. Certificate of Error in Party Enrollment [53:38; Regs. 51.03(5)(a), 52.03(5)(a), 54.03(6)(a)]

No voter enrolled as a member of one political party shall be allowed to receive the ballot of any other political party, upon claim by him of erroneous enrollment, except upon a certificate of such error from the registrars. The certificate must be presented to the presiding officer and attached to the voting list. [53:38]

Note: The party enrollment of a voter shall not preclude him from receiving at a town primary, the ballot of any municipal party, though in no one primary shall he receive more than one party ballot. [53:38]

While 53:38 provides that a certificate of error in party enrollment must be obtained from the registrars, the Regulations allow these certificates to be issued by the warden at the polling place using the same procedures as for a warden's certificate. If, however, the error cannot be determined by a telephone call to the office, the person may request a certificate from the registrars which would be signed by them.

In either case, the same form as shown in the samples of warden's or listing error certificates may be used since both of those certificates must contain the voter's party enrollment. However, the error in party enrollment certificates should be clearly labelled as such so that the election officers do not count them when the names marked on the voting list are counted or the count will not balance with the number of ballots cast. Also, these certificates are processed differently from other certificates after the election.

5. Town Clerk's Certificate for Absentee Voter to Vote in Person [54:100; Regs. 51.03(28), 52.03(23), 54.03(28)]

See ELECTION DAY, VIII. AV OR SAV MARKED ON VOTING LIST on pages 434-435.

6. Certificate of Supplementary Registration [51:51; Regs. 51.03(29), 52.03(24), 54.03(29)]

See REGISTRATION, SPECIALLY QUALIFIED VOTERS, in the Town Clerk's Manual, Volume 5 of this series.

B. VOTING MACHINE TOWNS

The following certificates are used only in towns having voting machines.

1. Voter Authority Certificates [54:31; 1985:477; Regs. 52.03(7)] (see samples on page 298)

After a voter's name is checked on the voting list at the polls, he must be given a voter authority certificate so that the election officer stationed at the voting machines will know that he has been properly checked in and is entitled to vote on the machine. [Regs. 52.03(7)]

a. number required

Before the polls are opened on election day, the town clerk shall send to the election officers at each polling place one voting authority certificate for each registered voter entitled to vote in that polling place. [54:31]

b. specifications

The voter authority certificates must be in a form approved by the state secretary. [54:31; 1985:477]

The certificate shall be so prepared as to be capable of being inserted by the election officer into a suitable container.

In many towns, the voter authority certificates are commercially printed and prepared in blocks of 50 or 100, although this is not required. However, it is difficult to keep track of loose slips of paper and you should be able to account for all voter authority certificates.

The certificates are usually about 2" X 4" but the size is not specified. In some towns, they are printed on light card stock rather than paper.

For primaries, colored paper or cards may be used, a different color for each party. However, in many towns, the election officers at the check-in table simply enter "D" or "R" on the certificate and the same color is used for both parties.

Certificates may be purchased for each election separately. However, it is usually less expensive to buy the supply for the entire year at the same time.

Further savings may be obtained by ordering a large number of undated certificates. In this case, the election date should be added using a rubber stamp on a supply of certificates prior to the election in which they are to be used. Stamp one certificate for each voter you expect to vote in the election and supply each polling place with a number of additional undated certificates so that the requirements of 54:31 are met. If the voter turnout exceeds the estimated number, the election officers at the polls can add the date before handing out the certificate.

2. Certificate that Voting Machine is Properly Prepared [54:35; Regs. 52.02(9)] (see sample on page 298)

Before the polls open, the election officers must compare the protective counter and machine seal numbers with those numbers entered on the No. 7 key envelope for each machine. If these numbers do not agree, the machine cannot be opened until the town clerk or the custodian of voting machines has examined the machine and certified that it has been properly prepared for the election.

While a written certificate is not required by the General Laws, using such a certificate will establish a written record signed by the town clerk or voting machine custodian that the requirements of 54:35 have been met. A supply of these certificates should be provided for each polling place.

3. Candidate/Question Counters Not Registering 000 [54:35; Regs. 52.02(15)] (see sample on page 299)

Before the polls open, the election officers must examine the candidate and question counters on the back of the machine. If the machine has a printer pack, the proof sheet is examined.

If any counter is found not to register zero, the number and letter of the counter, together with the numbered registered on it shall be stated in writing signed by at least one election officer of each party. The certificate should be made out in duplicate, one copy to be posted on the wall of the polling place and the other to be sealed in the fibreboard box with other official election materials or filed with the election returns. [54:35]

A certificate form can be used for this statement and a supply should be provided at each polling place.

4. Certificate of Voting Machine Failure [54:33B; Regs. 52.03(14)(b)] (see sample certificate, page 299)

If through mechanical failure, a voting machine ceases to function, it shall be inspected and put into working order, if possible, by a custodian of voting machines. The inspection and repair must be done in the presence of two election officers of different political parties who shall make and sign a statement. [54:33B; Regs. 52.04(14)(b)]

The statement must include the following information:

- the cause of failure [54:33B]
- that a custodian repaired the machine [Regs. 52.03(14)]
- the machine number [Regs.]
- the number of votes to be subtracted from the public counter due to failure. [Regs.]

A certificate form can be used for this statement and a supply should be provided at each polling place.

V. VOTING LISTS

(also see LISTS elsewhere in this manual for additional information on preparing voting list)

Before every election and meeting in a town at which voting lists are required to be used, the registrars shall prepare such lists for and seasonably transmit them to the election officers in each voting precinct, polling place, or town in which the election is being held.

[51:60] (see also 41:5) While the registrars are responsible under 51:60 for providing the voting list, the town clerk, as clerk to the board of registrars, usually does the actual preparation, unless the town has an election commission.

A. NUMBER REQUIRED [51:60; 54:67]

In towns using paper ballots or punch cards, the voting list must be prepared and transmitted in duplicate. [51:60] One voting list shall be delivered to the ballot clerks and another to the officer in charge of the ballot box. Where voting machines are used, one voting list shall be delivered to the officer at the entrance to the space within the guard rail. [54:67]

B. FORMAT [51:55; 54:67A]

In towns having 5,000 or more inhabitants, the voting list must be arranged by streets and the streets listed in alphabetical order. The names on each street must be arranged in numerical order by street number of the residence, so far as possible. In towns having less than 5,000 inhabitants, the voting list may be arranged by streets or in alphabetical order by voter name.

If the town is divided into precincts, the voting list must be prepared by precinct.

The registrars shall not enter the names of women in separate columns or on separate lists. [51:55]

If more than one ballot box is to be used at a polling place, the voting list for that polling place must be divided into as many sections as there are ballot boxes. [54:67A]

In some towns, the voting list is typed or printed on 8 1/2" X 11" paper with the names and addresses usually arranged in two columns on each page. The list to be used at the polls is placed in a three-ring notebook labelled with the precinct number, if applicable. If the town has no precincts but the voting list is divided, the label on each notebook would show that portion of the voting list contained therein, such as "A-L," "M-P," etc. In either case, if alphabetical tabs are added on the appropriate pages, the election officers can more easily find the name to be marked when the voter checks in and checks out. (see VI. MISCELLANEOUS, B. 3. on page 242 for additional material which may be included in the voting list notebooks)

In other towns, voting lists are printed on larger sheets having several columns and when possible, all the voters of the precinct or polling place are listed on one sheet. The voting list for the entire town may consist of several large sheets.

C. CONTENTS

1. Names, Addresses, Party Enrollment [51:55,60; 53:37]

The voting list must contain the names of all voters qualified to vote in the primary or election, their residence and party enrollment. [51:55,60; 53:37] It must be up to date as of the close of registration for the primary or election at which it is to be used.

In some towns, particularly those with data processing, a new voting list incorporating all changes since the most recent previous election, is printed for each election. In other towns, a new voting list is printed when supplementary lists become too large or too numerous and the number of corrections made on the previous list make it difficult for the election officers to use it.

However, all towns are required by the General Laws to prepare and print a new voting list in each state election year. It must be available for public distribution by July 1st. This list is called the "first voting list" in 51:55. It must contain the names of all voters entered on the annual register for that year. (see ANNUAL REGISTER elsewhere in this manual) Each voter's residence on January 1st preceding, or at the time he became an inhabitant (registered voter) of the town if after January 1st, and his party enrollment must be included. [51:55] In many towns, the first voting list contains the names of all voters who registered by June 1st since changes of name and address are based upon the June 1st date. (see D. 1. and 2. on pages 225-227) In addition, about a month is usually required to get the voting list finalized and printed. However, in towns with data processing, the first voting list sometimes includes the names of voters who registered after June 1st since less time is usually required to prepare a list for printing.

Note: In some towns, a certificate to be signed by the registrars and by the warden and election clerk is added at the end of the voting list and supplements. (see sample certificate on page 300) In some towns, the registrars formally vote, shortly before election day, to approve the voting list and supplements, if any, for use in the election or primary. Neither the certificate nor formal vote are required by the General Laws.

2. Date

While it is not required by the General Laws, it is suggested that each printed voting list be dated as of the last date on which any included voter was registered. The date should appear in a prominent place, at least at the top of the first page or on the cover if one is used. Having the date appear on each page is helpful.

Including the date will usually avoid confusion as to what voters are listed. Candidates or their workers will be likely to ask for this information.

Example: The date appearing on the "first voting list" printed in 1984 would be June 1, 1984, or a later date in June if voters who registered after June 1st are included. If the voting list was reprinted for the November election, it would be dated October 9, 1984, the close of registration for that election.

D. UPDATING THE VOTING LIST

The changes necessary to update a voting list will depend upon the date on which the election or primary is being held.

For elections or primaries held before July 1st in any year, the voting list of the previous year may be used, provided it has been revised to add and delete names as persons are found qualified or not qualified to vote in the town. [51:55]

To prepare an updated voting list, use the most recent printed voting list and make the changes outlined below in 1. through 6. These changes may be made directly on the printed list to be used at the polls. However, a supplementary list is usually prepared to add new voters and this supplement becomes part of the voting list.

In some towns, one copy of the most recent printed voting list is maintained in the office as a master list. All changes are entered directly on this list and may be color coded by type of change. For example, voters registered elsewhere are crossed out in red, deceased voters are crossed out in green, party enrollment changes are entered in blue, etc. The changes appearing on the master list are transferred to the list to be used at the polls shortly before each election or primary. If all changes are entered on a page at the beginning of each precinct, a copy of the voting list can be updated without going through the master list page by page. Sometimes a photocopy of the master list is used at the polls.

Whenever a name must be crossed off the printed voting list to be used at the polls, it is suggested that a line be drawn through the voter's name and address only and not extended into the column showing the party enrollment. If the line is extended into that column, it may easily be mistaken on election day for a mark made by the election officers indicating that a person voted. It may be counted as such in error after the polls close causing a problem in balancing the voting list count with the number of ballots cast.

Whenever a name is added directly on the printed voting list, it is suggested that it be added as close as possible to the place where it would ordinarily appear. (see sample corrected voting list on page 301)

1. Change in Voter's Residence within Town [51:3]

   a. towns with precinct

      (1) election or primary prior to June 1st

      For an election or primary held prior to June 1st, a person shall be registered and vote in the precinct where he resided on January 1st of the previous year, or where he resided when he first registered to vote if after January 1st of the previous year.

      Example: On the voting list used at the annual town election in April of 1986, a voter's address should be where he lived on January 1, 1985. If, however, he moved into town after January 1, 1985, the address on the list should be his residence at the time he registered.

      In preparing the voting list for elections held prior to June 1st, a voter's address should not be changed even though the annual town census report shows that he has moved, unless the new address is within the same precinct. (see exception below)

      (2) election or primary on or after June 1st

      If the election or primary is held on or after June 1st, a voter should be listed at the address where he resided on January 1st of the same year. In preparing a voting list for such an election or primary, the address of a voter should be that appearing in the current annual census report. If, however, he moved into town and registered after January 1st, he should be listed at the address where he resided at the time of registration.

      Example: On the voting list for a special town election held in October of 1986, a voter's address should be where he resided on January 1, 1986, or on the date he registered if he moved into town after January 1, 1986.

      Exception: Any voter who moves to another precinct may register and vote at his new address by making a written application to the town clerk no later than the close of registration. If such a written application is received, the voting address should be changed regardless of the time of year. In addition, the town clerk must forthwith notify the voter that his application has been received and that he may vote in the precinct to which he has moved. It is suggested that the location of his new polling place be included in the notice. (see sample notice on page 302)

b. towns without precincts

Note that 51:3 applies to voting in precincts. If the town does not have precincts, or does not vote by precincts in primaries and elections held prior to June 1st, a voter's address may be changed on the voting list when you know either from the annual census report or from the voter himself that he has moved. However, to comply with 51:38, the voter should be sent a notice that his address has been changed.

Having each voter's name listed at his current address may well save confusion and voter complaints on election day. However, in some towns, particularly those not using data processing, changing a voter's address on the voting list prior to June 1st may not be possible or practical because of time constraints.

Under either a. or b. above, if a voter's address is changed, cross out the name on the printed voting list. The name may be written or typed on the printed list at the new address, or it may be entered on the supplementary list to be used at the election. In either case, it is suggested that a note be entered next to the crossed out name indicating where the voter is now listed.

Example: "Moved to 56 Center St, Pct. 4," or "moved to 56 Center St, on supp." (see sample corrected voting list on page 301)

2. Change of Voter's Name [51:2]

A registered voter, who chooses to adopt a new name, shall continue to be registered in his former name until June 1st of the following year. After June 1st, he shall be registered in his new name. Note that the registrars must change his name, based upon the annual town census report, unless the voter wishes to retain his former name. The voter should not be required to re-register.

Example: A voter who changes his name between January 1, 1985 and December 31, 1985 should be listed under the former name until June 1, 1986. A voter who changes his name in 1986 after the annual census has been completed, should be registered and listed in his former name until June 1, 1987.

Exception: A voter may register in his new name at any time by appearing in person prior to the close of registration to notify the registrars of his new name. The voter may re-sign his affidavit of registration using his new name since a new affidavit of registration does not need to be completed. Then change the name on the voting list to be used at the next election.

In some towns, a notice is sent to each voter who indicates a name change on the annual town census form informing him of the procedure for changing the name on the voting list to be used in the next election. (see sample notice on page 303)

When changing a voter's name, you may cross out the former name and enter the new name directly on the printed voting list. Or, the voter may be listed under his new name on a supplementary list. If listed on the supplement, it is suggested that you enter a notation, such as "new name, supp.," next to the crossed out name to indicate where the voter is listed.

Note: If the voter does not wish to adopt a new name, the registrars cannot change the name on the voting list. Before a name is changed, it is suggested that a notice be sent to the voter asking for written, signed confirmation that he wishes such a change, unless the census form on which the name change appears was signed by the voter. (see sample notice on page 304) Note that 151B:4(15) prohibits requiring an individual to use, because of sex or marital status, any surname other than the one by which he is generally known.

3. Deleting Names from the Voting List

Names should be deleted from the voting list under the following conditions.

a. deceased voters [51:14,38]

The town clerk, or other officer in charge of the registration of deaths, shall, on the first day of each month and also two days prior to every election, transmit to the registrars of voters a list of the names and addresses of all residents of the town, 18 years old or older, who died in the preceding month or since the date of the list previously transmitted. [51:14] The registrars shall strike from the annual register the name of every deceased person which has been transmitted to them under 51:14. [51:38] These names should also be deleted from the voting list to be used at the next election.

In most towns, the town clerk is a member of the board of registrars and in this case, a separate list need not be prepared. However, you should have an official record of death, not just personal knowledge before removing a name. Death certificates on file in the town clerk's office may be used as reference. Even though the General Laws include the two day time limit, continue to cross out names of deceased voters up to the time the lists are transmitted to the polls, if possible.

In some towns, "dec.[date]" is entered next to the crossed out name. Or, if such a notation might upset family members who may notice it when their names are checked on election day, a code such as "d" may be used.

b. voters who have registered elsewhere [51:38]

If you received a copy of the affidavit of registration from another Massachusetts community or official notice from another state (see 51:46A), that a voter has registered elsewhere, the voter's name should be crossed off the voting list for the next election. No notice needs to be sent to any such voter prior to deleting his name.

However, if a notice of registration elsewhere is received after the close of registration for a state primary, election or the presidential primary, check the date the voter registered in his new location. If he registered in another Masschusetts community after the close of registration, the name should not be removed until after that primary or election. (see 51:1, last sentence)

c. voters who have moved out of town [51:37,38]

There are two separate sections of the General Laws governing procedures for removing from the voting list the name of a voter who has moved out of town. One is 51:37 related to those whose names were not returned in the annual town census report and were therefore not entered on the current annual register. The other is 51:38 related to removing a name after it has been entered on the current annual register.

The voting list may be updated at any time during the year by removing the names of those voters who have moved out of town, provided the correct procedures are followed. Before deleting a voter's name, a notice must be sent to the voter, unless he has died (see a. above) or unless he has registered elsewhere (see b. above). The notice is somewhat different depending upon the time of year.

(1) voter's name omitted from annual register [51:37; 1985:477]

An annual register of voters is required to be prepared each year based upon the annual town census report for the preceding January 1st and the previous voting list.

51:37 requires that a voter be notified that his name has not been entered on the annual register. This notice, commonly called a "dropped voter notice" or "drop notice," must be sent on or before the first Monday in June of each year. Unless he responds to the notice, his name should be deleted from the voting list prepared for a subsequent election. In state election years, his name would not be included on the first voting list prepared for distribution by July 1st. (see sample notice on page 305)

Note: If you have already notified a voter under the provisions of 51:38 because you reprinted the voting list earlier, you do not need to send a second notice by the first Monday in June. (see (2) below)

In some towns, a new voting list is not printed nor are names deleted for the presidential primary or for an annual town election held prior to July 1st since there is insufficient time to complete the census and send out the required notices. If however, your charter or special act requires your annual town election to be held after July 1st, or if a special town election (or town meeting) is to be held after that date, you cannot use the voting list of the previous year as amended. In odd numbered years you should prepare a new voting list based upon the current annual register and including new registered voters. In state election years, this new voting list would be the first voting list required by 51:55.

(2) voter's name removed from annual register [51:38]

In some towns, arrangements are made with the municipal water or light department to send the board of registrars periodically during the year, a list of the names and addresses of residents who have requested that their service be discontinued. The registrars send a notice to all registered voters whose names appear on the list. If no response is received, or if a voter confirms his move out of town, the name is deleted from the voting list. This procedure updates the voting list at regular intervals during the year and is not dependent upon the annual town census report.

Some voters voluntarily notify the town clerk's office when they move out of town. If such a notice is received, the name may be deleted from the voting list, provided the correct notice is first sent to the voter.

If the annual town census can be completed and the required notices can be sent in time, the names not returned on the census report may be deleted from the voting list to be used at a presidential primary or an annual town election held before the current year's annual register is prepared and dropped voter notices are sent.

Example: The 1986 census report indicates that a voter has moved out of town. In February, a notice is sent to the voter. If no response is received, the name can be removed from the voting list to be used in the March 1986 presidential primary and in a 1986 annual town election held before the dropped voter notices are sent. However, care should be taken in removing names from the presidential primary list. A voter who moved to another Massachusetts community within 6 months prior to that primary, will still be eligible to vote in your town if he has not registered elsewhere.

However, names of voters who have moved are not usually deleted at this time unless the voting list can be reprinted for the presidential primary and town election. A voting list having a large number of names crossed out is difficult for the election officers to use. Note that names cannot be deleted at this time, unless the appropriate notice has been sent and the correct wording is used.

In each of the above cases, the notice requirements appear in 51:38 since the name is removed from an annual register already prepared rather than not entered on the annual register of the current year. The notice must state that the registrars intend to remove the name from the annual register and include a certain date when the voter may be heard. Since most voters are not familiar with the term "annual register," the notice should also include the information that the name is to be removed from the voting list to be used at the next election or primary. (see sample notice on page 306)

4. Adding Names to the Voting List

a. new voters

The names of those who have registered since the last previous voting list was prepared and before the close of registration should be added to the list for the next primary or election. If there are very few new voters, the names might be added directly on the printed main voting list. (see sample corrected voting list on page 301)

However, the printed list will be difficult for election officers to use if a large number of names are added. Unless the voting list is reprinted to incorporate all these new voters, the names should be entered on a supplementary list to be used with the main printed voting list. The names, addresses, and party enrollment should be arranged on the supplement in the same order as they are on the main voting list, by streets, by precincts, or alphabetically by voter's name. (see sample supplementary voting list on page 307) (see B. FORMAT on page 222)

The supplementary list may be typewritten, or if you have access to data processing, it may be a computer printout. It is suggested that each supplementary voting list be dated as of the last date on which an included voter registered.

Example: The first voting list in 1984 would be dated June 1st. The supplement to be used with that voting list in the following state primary would be dated August 21, 1984 and the supplement to be used in the state election would be dated October 9, 1984.

Note: In many towns, a supplementary list is prepared regardless of whether or not the voting list is being reprinted since there are usually many requests from candidate's workers for a list of the names and addresses of new voters.

It is suggested that, whenever possible, two or more supplements be combined for election day use. It is also suggested that, if possible, a new voting list be printed to avoid using more than one or a very large supplement. If the election officers must search more than one or a very large supplement as well as the main list, they are more likely to miss a voter's name. In addition, the check-in process will take longer and waiting lines may form, particularly at a November election.

b. dropped voters returned to list

Those who voted at the last previous election by certificate should have their names returned to the voting list for the next election, unless, since that election the voter has:

- moved and has been notified again of being dropped, OR
- died, OR
- registered elsewhere and notice of such registration has been received.

These names may be written in on the main voting list or included on the supplement along with newly registered voters.

Note: Omitted voters whose applications for an absentee ballot have been certified, should also be returned to the voting list. (see ABSENTEE BALLOTS elsewhere in this manual)

5. Corrections [51:34,35,38]

The registrars may not add a name to the voting list for an election or primary after the close of registration. However, they may enter or correct on the voting list the names of voters who have registered between the preceding December 31st and the close of registration to reinstate a voter who was incorrectly dropped. [51:34]

Upon the personal application of a listed person for the correction of an error in their original lists, or whenever informed of an error, the registrars shall make an investigation and upon proof of the error, they shall make the appropriate correction. Such errors may be brought to the attention of the board of registrars and corrected at any time before or after the close of registration. [51:38] These errors would include the misspelling of a voter's name, or an error in a voter's address. The person may be required to present suitable identification or to sign an affidavit under the penalties of perjury. The registrars may ask the police to investigate if they consider it necessary.

If a person whose name has been omitted from the voting list is found to be in a hospital, sanitorium, rest or convalescent home, the registrars shall restore the name to the list unless the person has established legal residence in another town. [51:38] In this case, the registrars would become aware of the change in voting residence by receiving a notice of registration.

In addition, if they find that a person's name has been omitted in error, the name shall be restored. [51:35] For example, if a person responds to a notice of being dropped from the voting list and is still a resident of the town, his name should be returned to the list. In many towns, the registrars return a name if the voter responds by telephone. In some towns, a written response, sometimes accompanied by proof of residence, is required. Voters should not, however, be required to appear in person at the registrars' office to have their names returned to the voting list.

The registrars may restore a name to the list up to and including the day of the next primary or election if it appears to their satisfaction that such person was omitted in error. [51:35] Before election day, corrections can be made by writing or typing the name on the main voting list or the supplementary list. Procedures for returning a name to the voting list on election day by certificate are specified in 51:59 and the Regulations 51.03(5), 52.03(5), 54:03(6). (see ELECTION DAY, V. OMITTED VOTERS in Volume 4 of this series)

Note: 51:35 requires that the registrars formally vote to restore a name to the voting list.

6. Changing Party Enrollment [51:55; 53:37,38]

The voting list to be used at a primary shall contain the party enrollment of voters. [53:37] All first voting lists must also contain the party enrollment. [51:55] It is particularly important that the party enrollment shown on a primary voting list be up to date.

All party change cards received by the registrars on or before the close of registration for the primary should be processed and the appropriate corrections made directly on the lists before they are sent to the polls. However, a change of party enrollment received after the close of registration does not become effective until after the primary. [53:38]

It is suggested that the changes be made on the lists in a color different from that to be used by the election officers to check in the voters. For example, if the election officers are using red pens or pencils on election day, make the changes in black ink. In this way, the corrections made in the office will be less likely to be confused with the entries made by election officers.

E. MARKING THE VOTING LIST - ABSENTEE VOTERS

See ABSENTEE BALLOTS elsewhere in this manual for entries to be made on the voting list and list of nonregistered specially qualified voters with respect to absentee voters.

F. POSTING THE VOTING LIST [51:57,58]

The voting list must be posted at least 20 days prior to the annual town election and at least 60 days prior to the biennial state election. [51:57] For state elections, post a copy of the "first voting list" prepared under 51:55. For the annual town election, post a copy of the most recent printed voting list, updated insofar as possible.

The list must be posted in the registrars' principal office and in one or more public places in the town. If the town is divided into precincts, it must be posted in each precinct. [51:57] The entire town voting list does not need to be posted in every precinct. Post only the list showing the voters registered in the precinct where posted.

Supplementary lists containing names added to the annual register after the voting list has been posted, must be posted in the registrars principal office but not elsewhere in the town. If the town has authorized it, these names may be printed in a newspaper published in the town instead of being posted. [51:58]

G. FORWARDING VOTING LIST TO STATE SECRETARY [54:53]

At least 90 days before the biennial state election, the registrars shall send to the state secretary a mailing list of the voters whose names appear on the latest voting lists of their towns prepared as required by 51:55 (first voting list), indicating as far as possible those residences that appear to be group residential quarters. In addition, the registrars shall promptly furnish the state secretary with subsequent additions to and corrections in such lists.

To comply with 54:53, add the zip code to a copy of the first voting list printed by July 1st. The zip code may be entered only on the first page of the voting list unless your town has more than one zip code. In that case, enter the appropriate code on each section of the list. If necessary, add the code opposite each street name.

If the voting list is arranged by streets, the names of voters in group residential quarters will probably be listed in order alphabetically by name or by apartment number, at the same house number. Draw a bracket around the names and note "group quarters" in the margin. If the voting list is arranged alphabetically by voters' names, prepare and forward a list of the streets and house numbers where group quarters are located. The individuals who live in the group quarters do not need to be designated on the voting list.

Also, add the zip code(s) to a copy of each supplementary list prepared after the first voting list and before the close of registration for the November election.

The first voting list and each supplement should be sent as soon as possible after they are prepared to the Elections Division, One Ashburton Place, Room 1705, Boston 02108. The Elections Division will send you a notice requesting the lists in February or March of each even numbered year. (see ABSENTEE BALLOTS elsewhere in this manual for list of nonregistered specially qualified voters to be forwarded to the state secretary)

VI. MISCELLANEOUS

There are a number of miscellaneous items which should or may be prepared for an election. These include the following.

A. REQUIRED

1. Cards of Instruction [54:48,65]
(see samples on pages 308-313)

The state secretary in state elections and the town clerk in town elections shall prepare and cause to be printed in large clear type, cards containing full instructions for voters for obtaining ballots, marking them, obtaining assistance and obtaining new ballots in place of those accidentally spoiled. [54:48]

At least three of these cards must be posted at each polling place at each primary and election. [54:65] (see 53:24 for primaries) In some towns, cards of instruction are posted in each voting booth or machine and in this case, a large supply will be needed.

Cards of instruction prepared by the state secretary are usually yellow or orange about 10" x 12 1/2" for paper ballot, voting machine and Datavote towns and white about 12" square for other punch card towns. Separate cards are prepared for each type of voting system. A supply of these cards is sent to town clerks in an envelope with specimen ballots prior to each state primary and election and presidential primary.

Cards of instruction printed in large type will be provided for state primaries and elections to comply with the federal accessibility act.

Note: At the time of printing this manual, minor changes in the text for cards of instruction were being made to reflect the 1985 amendment to the General Laws related to assistance in voting and in the Regulations related to removing the stubs from punch card ballots. The revised text will appear on cards of instruction provided for the 1986 state primary and election and should be used on cards of instruction prepared for subsequent town elections.

2. Penalty Cards [54:48,65] (see sample on page 314)

Cards, similar to the instruction cards but containing abstracts of the laws imposing penalties upon voters, must be prepared in state elections by the state secretary and in town elections by the town clerk. [54:48] At least three of these cards must be posted in each polling place at each primary and election. [54:65]

Penalty cards provided by the state secretary are about 10" X 12 1/2" printed on light green cardboard. One type of penalty card is provided and can be used at all primaries and elections and in all towns regardless of the type of voting system.

Note: While town clerks are responsible under 54:48 for preparing cards of instruction and penalty cards for town elections, the cards provided by the state secretary usually are used. Note that the state election cards should be used for an annual town election since the text on presidential primary cards is different. If you prefer to prepare your own cards for town elections, it is suggested that the same format and information as that appearing on the state cards be used. Your facsimile signature may be included on the card although this is not required.

3. Seals [54:30] (see samples on page 315)

The town clerk shall furnish the clerk of each voting place or precinct a seal of suitable device with a designation thereon of the voting place or precinct. Such seal shall be used in sealing all envelopes or containers required by law to be used at elections. The clerk of the precinct shall retain custody of the seal and at the end of his term of office, deliver it to the town clerk. [54:30] However, in many towns, the election seals are retained between elections in the town clerk's office since they are less likely to be misplaced.

This seal may be made of metal to be used with stationer's sealing wax. In most towns, commercially available gummed cloth or self-stick heavy paper seals are usually used for sealing both envelopes and the fibreboard boxes. In some punch card towns, a commercially available green plastic seal is used on the metal carrying case containing ballots, but this type of seal can be used on a fibreboard box as well. In some towns, a plastic tie-wrap is used to seal boxes. However, the green plastic seals and tie-wraps do not contain the polling place or precinct or a place for the warden and election clerk to sign. If used, you must add one cloth or paper seal containing this information and the spaces for signatures.

Note: 54:107 requires that the seals used on containers for ballots cast be of a durable material other than paper. However, gummed cloth seals tend to dry out and lift up after a few days making it appear that the containers were not properly sealed. Self-stick heavy paper seals do not have this problem. It is suggested that, for strict compliance with 54:107, cloth seals be used on the block envelopes containing cast ballots and self-stick paper seals be used on the fibreboard box. Or, use one cloth seal on the fibreboard box along with several self-stick paper seals and use self-stick seals on the block envelopes.

Unless a metal seal and sealing wax are used, a supply of gummed or self-stick seals will be needed for each primary and election. The number will depend upon the type of election, the voting system used and the number of ballots cast. A seal should be provided for each block, tally sheet and voting list envelope. Three or four will be needed for each fibreboard box, unless green plastic seals or tie-wraps are used for these boxes. It is suggested that some extra seals be included in the material transmitted to the polls on election day, even if the election clerk retains a supply of seals between elections.

Usually, the warden and election clerk enter the name of the town, the precinct number and the date in the space provided on the gummed cloth or self-stick seals prior to signing them. However, this information can be entered on a supply of seals prior to transmitting them to the polls.

Cloth or paper seals of a slightly different design to be signed by the registrars are also available commercially for sealing envelopes and containers following a recount. (see AFTER ELECTION DAY, XI. RECOUNTS in Volume 4 of this series)

4. Receipt for Election Materials [54:60]
(see samples on pages 316-317)

At state elections, the presiding officer at every polling place is required to give a receipt to the town clerk for the official ballots, specimen ballots, cards of instruction, penalty cards, and copies of ballot questions transmitted to him before the polls open. At town elections, the ballot clerks are required to give a receipt to the town clerk for official ballots transmitted to them before the polls open. These receipts with the record of the number of ballots transmitted must be kept in the town clerk's office for one year. [54:60] (also see 54:46)

While not specifically required by law, it is suggested that you prepare a receipt form for each polling place for all elections and primaries and include on the form all official election materials required to be transmitted under various sections of the General Laws. The warden should sign the receipt at all primaries and elections. To comply strictly with 51:60, the election officers assigned to the check-in table should also sign the receipt for town elections.

In some punch card towns, a precinct clerk's report form, including the number of ballots received, is used rather than a separate receipt. (see sample on page 328) However, in this case, it is suggested that, for state elections, at least specimen ballots, instruction and penalty cards be added to the items listed on the report form.

5. Labels for Fibreboard Boxes [54:107]
(see samples on pages 318-321)

a. paper ballot towns

In towns using paper ballots, the warden and election clerk must endorse the precinct number, polling place or name of the town on the container for the ballots cast by voters and certify that only ballots cast and none other are enclosed. Since it is not possible to write directly on the fibreboard box, a label including the required information and spaces for the warden's and clerk's signatures may be glued or taped on the outside of the box after. Gummed labels for this purpose are available commercially. (see III. ENVELOPES on page 204 for sample) Many town clerks prepare their own labels using either plain paper to be taped to the box, or a large self-stick mailing label available at most stationery stores.

A label should also be attached to the boxes containing other official election material, such as absentee ballot envelopes and applications, spoiled and unused ballots, etc.

b. voting machine towns

In voting machine towns, the label for the fibreboard box should contain a number of items, such as proof sheets and counted machine pack sheets, if printer packs are used, absentee ballots, voters authority certificates, etc.

c. punch card towns

In towns using punch cards, a label will be needed for the metal box containing the punch card ballots and a second label will be needed for the fibreboard box containing other election material.

Note: For primaries, if ballots and other election materials are sealed in separate boxes for each party, a set of labels should be prepared, one for each party. Add the party name at the top of the labels. (see 53:39)

6. Information for Voters [54:65]

The Information for Voters pamphlet including the text of ballot questions and summaries, etc. is prepared by the state secretary and furnished to town clerks prior to each state election, unless, as in 1984, there are no state-wide ballot questions. (see 54:53,54) One such pamphlet for each 100 voters must be available at each polling place on election day. [54:65]

Note: 54:102 requires the state secretary to prepare information and instructions on absentee voting for the use of election officers, city and town clerks, and registrars of voters. The information referred to in 54:102 is the absentee voting pamphlet in the Election Resource Handbook and various memos and instructions mailed periodically to town clerks.

For town elections, only the text of ballot questions may be distributed to voters unless a summary is specifically required by a section of the General Laws, such as 54:58A or 43B:11. (see B. 5. on page 244 for additional optional information on ballot questions)

7. Election Clerk's Record (see samples on pages 322-328)

The election clerk is required by several sections of the General Laws and the Regulations to make and keep a record of the election. (see ELECTION OFFICERS and ELECTION DAY elsewhere in this series)

In some towns, the election clerk's record is entered in a bound volume, available at most stationery stores, containing lined numbered pages. The clerk enters the required information for each primary and election by hand and attests the record as true at the end of each. Many elections are recorded in the same book. When the election clerk retires or is not reappointed, the book is turned over to his successor who continues to record subsequent primaries and elections in the same book until it is full.

In other towns, the election clerk's record consists of several pages of printed forms which may be stapled together. A new set of forms is provided to the election clerk for each primary and election. In some punch card towns, the precinct clerk's report is used as the election record.

If you plan to use the election clerk's record after the election to make corrections and to add voters' names to the voting list, include in the record, a form for recording all certificates issued to omitted voters and certificates issued to correct errors on the voting list. Space should be included on the form to record party enrollment and the reasons for issuing the certificate as well as the name and address of the voter. (see sample form on page 327)

8. Party Change Cards [53:38] (see samples on pages 329-331)

At primaries, the town clerk shall make available within the polling place certificates to enable the voter to change his party enrollment which shall be substantially in the form appearing in 53:38. These certificates are commonly called "enrollment change cards," "certificates of change," "cancellation or establishment of enrollment," or "party change cards." In this manual, they will be called "party change cards."

The number of cards to be provided in each polling place is not specified in the General Laws and will depend upon the town clerk's estimate of the need. A rough estimate can be made by checking the number of unenrolled voters who voted in the previous primary. Adjust this number up or down depending upon the level of campaign activity and the expected voter turnout.

Party change cards are commercially available. Some town clerks have these cards printed. However, many town clerks prepare and duplicate these cards in their offices. A standard 3 X 5 or 4 X 6 index card is usually used. The same form may be used at any time during the year for voters who wish to change party enrollment.

9. Notice of Receipt of Party Change Card [53:38] (see samples on page 329)

The board of registrars must forthwith notify each voter transmitting a certificate changing his enrollment that it has been received and that the party enrollment has been changed in accordance with the voter's request, or that the certificate is of no effect. A party change card would be of no effect if it had not been signed by the voter or if the voter neglected to indicate the change he wished to have made.

Notices to be used by the registrars are commercially available or may be prepared and duplicated in the office. In some towns, the notice is a printed post card attached to the party change card. The voter is asked to address the post card at the time he completes the party change card. The registrars complete the reverse side, detach it from the party change card and mail or hand the receipt to the voter.

10. Cards for Voters Waiting in Line at Close of Polls [54:70] [Regs. 51.03(30), 52.03(25), 54.03(30)]

If voters are waiting in line at the close of the polls, the warden shall provide to each voter outside the guard rail a card or slip bearing the voter's name, and the voter shall as soon as practicable present the same to one of the ballot clerks and shall then be permitted to vote if otherwise qualified. [54:70] The purpose of such a card or slip is to ensure that only voters actually in line at the close are permitted to vote.

It is impossible to prepare cards before an election bearing the voters' names since there is no way of determining who may be waiting in line at the close of the polls. In some towns, a pad of scratch paper is provided in each polling place and the warden hands a piece to each waiting voter who then writes his own name on it. In other towns, a supply of colored cards about 2" X 4" is provided for this purpose, a different color for each election, or a certificate stating that the person was in line when the polls closed is used. (see sample certificate on page 332)

If all waiting voters are inside the door of the voting room and a police or election officer is stationed at the end of the line, it is not necessary to hand out a paper, card or certificate to waiting voters. [Regs. 51.03(30), 52.03(25), 54.03(25)] If, however, voters are waiting outside the door, a paper, card or certificate should probably be handed out, unless the police officer at the end has a clear view of the entire line.

B. OPTIONAL

1. Payroll or Time Sheets (see samples on pages 333-334)

In most towns, the election officers are required to sign a payroll or time sheet showing the hours each worked. This sheet may be one of the pages included in the election record book with spaces for the election officers to sign and enter their hours. Or, a separate sheet may be prepared.

2. Name Tags (see sample on page 334)

In many towns, each election officer wears a name tag while on duty at the polls, usually including the officer's name, title and party. For nonpartisan town elections, the party is omitted in some towns. The printed town seal is sometimes included on tags.

Plastic holders with pins are available commercially and usually can be used in many elections. However, the self-stick name labels may also be used.

3. Information and Forms to Assist Election Officers

   a. sample showing how to mark voting list (see sample on page 335)

   Since a voting list marked uniformly by all election officers is much easier to count after the polls close, some town clerks provide a sample of a checked list. If the sample is taped on the check-in and check-out tables, election officers are likely to see it and follow the instructions.

   A different sample may be needed for a primary to show election officers where to enter the party initial.

   b. summary of procedures (see sample on page 336)

   In some towns, a one-page summary of procedures is provided for the election officers at the check-in and check-out tables. This may be taped on the tables, or placed in the front of the voting list notebook, if one is used. If the election officers have had difficulty in remembering a particular procedure, such as entering party initial on the voting list for unenrolled voters, that procedure might be typed in large letters and taped on the tables.

   c. form for counting names on checked voting lists (see sample on page 337)

   If the voting list consists of many pages, it is helpful to the inspectors who must count the number of marked names if a form is provided for this purpose. Place the forms in the back of the voting list notebook, if one is used.

   d. sign-in sheets for check-in table (see sample on page 338)

   If election officers take turns working at the check-in table during an election day, a sign-in sheet may be useful. If a clerical error in marking the voting list is made, the problem may be solved more easily if a record is kept of time during which each election officer was on duty at the table.

Example: A person appears to vote at 3 P.M. and gives a name already marked on the list. When questioned, he informs the election officer that another member of his family voted at 8 A.M. before going to work. The election officer on duty at 8 A.M. may remember the person who voted at that time and substantiate that a clerical error was made.

Note: In some towns, a different color is used at intervals during the day for marking the check-in voting list. For example, red is used between 6 and 10 A.M., blue between 10 A.M. and 2 P.M., etc. This may be helpful in substantiating that a clerical error has been made.

e. handbooks for election officers

In some towns, one or more copies of the Election Officers Handbook prepared by the state secretary for each type of voting system are provided for each polling place. Copies of these handbooks are available from the Elections Division.

In other towns, the town clerk has prepared instruction pamphlets or handbooks for election officers. Extra copies of these may be provided at the polls.

f. check list for sealing election materials (see samples on pages 339-341)

A check list showing materials to be sealed in each box or envelope for return to the town clerk may be prepared for the warden and election clerk to help insure that materials are properly sealed. The specific items on the check list will depend upon the type of voting system used.

4. Information for Candidates

In some towns, written information is prepared and made available to each candidate's poll checker on election day. It may be taped to the table provided for these workers at the polls, or sent to each contested candidate prior to election day. Such written information may eliminate problems and complaints caused by a candidate's worker unfamiliar with election law and practice. (see sample on page 342)

In some towns, a memo is sent to all candidates prior to a town election outlining permitted and prohibited activities. (see sample on page 347)

5. Information for Voters on Ballot Questions

a. question text in large type

In some towns, the text of ballot questions is prepared in large type and taped in the ballot booths, marking units or voting machines and on the walls of the polls.

b. one-page flyer and answer card (see sample on pages 348-349)

In some towns, a one-page flyer is prepared and mailed to each household in the town before a state election to supplement the Information for Voters pamphlet prepared and mailed by the state secretary. Voters who may not take the time to read the state pamphlet will usually read a one-page flyer. Where used, the flyer has significantly decreased the time required by voters to cast their ballots thereby decreasing the length of voter waiting lines and in some cases, eliminating these lines altogether. In voting machine towns, the use of the flyer can reduce the need to purchase or rent additional machines for a state election.

The flyer usually contains the date of the election, the polling hours, the polling place, and the ballot question summaries appearing in the state pamphlet. It contains a request that voters read the information and decide how they wish to vote on each question before going to the polls on election day. Information on where parking is available is often included. Two cards on which the voters may mark their answers to the questions and which can be taken into the voting booth or machine on election day are stapled in the flyer.

If such a flyer is prepared, care must be taken to insure that the information provided on the questions is accurate. It is essential that the text of the summary appearing in the state Information For Voters pamphlet be used. No editing should be done. If necessary, because of the length of summaries, two pages should be used for the flyer. For questions appearing on ballots only in certain districts, add the exact text of the question as it appears on the ballot.

Extra copies of the flyer and extra answer cards may be provided at each polling place to be given to waiting voters, if lines should form.

Such a flyer is not usually prepared for a town election since the voter turnout is less and lines do not usually form. However, if one is prepared, no summary should be included unless a summary appears on the ballot.

c. text of constitutional amendments and laws (see sample on page 347)

The text of the sections of the constitution proposed for amendment under ballot questions, showing the text to be deleted in brackets and the text to be added underlined and full text of the laws related to ballot questions may be prepared in large type and made available at the polling places.

6. Information for Write-in Candidates (see sample on pages 348-349)

Some town clerks prepare written information on write-in voting and distribute it to all write-in candidates who are known before the election. This information may include how to vote by write-in, the General Law requirements related to printed stickers, where literature or stickers may be distributed on election day and, if possible, a diagram showing the 150' boundary. It also includes information on counting write-in votes. In voting machine towns, the write-in slot number or numbers to be used are also included.

7. Information for the News Media

Many town clerks regularly provide election information to the news media, particularly the local newspapers and radio stations. This information may include the time and place of special registration sessions, the location of polling places and hours the polls are to be open, etc. About 3 to 4 weeks before each election, a news release is prepared giving voters information on absentee ballots including eligibility, where and when to apply, etc. (see sample news release on page 350)

In addition, some town clerks prepare forms on which the news reporters covering the election and any other observers at the polls on election night may record the election results. These forms are usually distributed by the election officers shortly before the results are announced. The use of these forms usually avoids the need to repeat the results to the reporters or individuals after the vote announcement has been made. (see sample form on page 351)

Also, information can be prepared showing the number of registered voters, the percent turnout in past elections, etc. The news media often asks how the turnout compares with previous years.

8. Warden's Instructions (see sample on page 352)

In many towns, written instructions are prepared for the warden for every election. They usually contain the telephone number(s) to call for authorization to issue certificates for omitted voters, to report problems and/or to ask questions. Special instructions considered necessary by the town clerk are also included to highlight new procedures or procedures not strictly followed in the previous election or to serve as reminders, particularly for primaries.

Similar one-page instruction sheets may be prepared for the election clerk and for inspectors.

9. Copies of Escrow or Challenged Voter Oath (see sample on page 332)

In some towns, a copy of the oath to be given to escrow or challenged voters is provided to the warden at each polling place. Under the text of the oath, spaces are provided for information to be entered and for the voter and the warden to sign.

VII. PACKING ELECTION MATERIALS FOR TRANSMITTAL TO POLLS

Unless the polling place is in the same building close to your office, all election materials to be used at the polls must be packaged for transmittal on election morning. In any case, some materials must be transmitted in a sealed package or envelope.

A. GENERAL LAW REQUIREMENTS [53:24; 54:35,46,59,60,131; 56:16]

The General Laws require that ballots shall be enclosed in packages, sealed and marked with the number of ballots of each kind therein. Specimen ballots, cards of instruction, and cards containing abstracts of the laws imposing penalties upon voters must be enclosed in another package. The whole shall be further enclosed in a single package with marks on the outside indicating its contents and the polling place for which it is intended. [54:59, 60] 54:59 does not specify how other election material is to be packaged for transmittal to the polls.

Note: The results of the election will not be adversely affected if you do not package and seal the specimen ballots, instruction and penalty cards exactly as outlined in 54:59 and 54:60. [54:131] However, the official paper and punch card ballots should be packaged and sealed and the number enclosed in the package marked on the outside since it is essential that they be safely transmitted to the polls and that you can account for all ballots. In addition, the penalty for violating any provision relating to the enclosing in envelopes or containers, sealing, endorsing and delivering or transmitting ballots and voting lists is a fine of not more than $500.00 or imprisonment for not more than one year. [56:16]

Copies of questions submitted to the people are also included in the packaging requirements of 54:59, but separate copies are usually not received with ballots and cards since the questions appear on the specimen ballots and are no longer required to be posted in each marking compartment.

For primaries, 53:36 requires that ballot boxes, ballots, specimen ballots, voting lists, suitable blank forms and apparatus for canvassing and counting the ballots and making the returns be sent to the polls before they open on the day of the primary, but does not specify how they are to be packaged. However, primaries are subject to all the laws relating to elections, so far as applicable [53:24].

In voting machine towns, packaging requirements relate to voting machine keys. These shall be delivered at a reasonable time before the opening of the polls sealed in a separate envelope (#7 envelope) on which shall be written the number and location of the precinct or polling place, the voting machine number, the number of the machine seal, and the protective counter number. [54:35]

Note: For a town election, the number of ballots printed and for all elections, the number of ballots transmitted to each polling place must be recorded by the town clerk. The record must be kept for one year. [54:46]

B. PACKING MATERIAL

Packing can begin before the election as soon as the material, such as tally sheets and envelopes, etc. has been prepared. However, it usually cannot be completed until the late afternoon or the evening before the election since some material, such as voting lists, list of absentee voters, etc. will not be ready until then.

It is suggested that, if possible, the material be packed in the reverse order from which it will be needed by the election officers on election morning. If several precinct boxes must be packed, the boxes may be arranged for packing in order by precinct.

In many towns, a check list, prepared more or less in the order in which material is to be packed, is used to insure that everything needed actually gets into the box or boxes. The same check list can be used even though there are several precincts since most of the material will be the same in each. If certain material is needed only in a particular precinct, make a note on the check list as a reminder that the material must be added to that precinct box. As each item is placed in the box, it is checked on the list. (see sample check list on pages 353-354)

In paper ballot towns, the official ballots are usually transmitted in the box in which they were received but they may be packed in a fibreboard box. In punch card towns, the punch card ballots are transmitted in the locked metal carrying case. Other election material is usually sent in a fibreboard box.

On the package or box containing official paper or punch card ballots, mark the number of each kind of ballot enclosed. For example, for an election, mark "2,550 official ballots," for primaries, mark "1,275 official Democratic ballots" and "1,275 official Republican ballots." If you enclose the package containing specimen ballots and instruction and penalty cards with the official ballots, attach a list of the contents to the outside. A list of contents does not need to be attached to boxes containing other election materials.

In some voting machine towns, all of the election material, including machine keys first sealed in a #7 envelope, is transmitted to the polls in a fibreboard box, but in other towns the machine keys are sent outside of the box.

If necessary, some material may be transmitted in a cardboard carton.

C. SEALING MATERIAL

Although the General Laws require that only official ballots and voting machine keys be sealed, it is suggested that for security, you seal all packages or boxes containing election material.

The boxes may be sealed using one of the regular cloth or paper seals used on boxes and envelopes being returned to the town clerk on election night. Enter on the seal the name of the town, the date of the election, the precinct number, if any, or the polling place and your signature. Place the seal on the box or package in a location which prevents it from being opened without breaking the seal.

The sealed boxes or packages should be kept in a secure location, such as the vault, until they are removed on election morning and transmitted to the polls.

SAMPLE TYPED BALLOT TEXT

TOWN OF MIDTOWN: ANNUAL TOWN ELECTION, MARCH 25, 1985

MODERATOR For One Year, Vote for ONE

[1A] John L. Smith, 14 Center Street [2]
Candidate for Re-election

SELECTMAN For Three Years, Vote for not more than TWO

[2A] Frank R. Jones, 21 Roundtree Lane [5]
Candidate for Re-election

[3A] William T. Adams, 413 End Circle [6]

[4A] Alice Baker, 11 Pendleton Road [7]

ASSESSOR For Three Years, Vote for ONE

[5A] [No candidate nominated]

[Continue until all offices and candidates have been included]

QUESTION NO. 1.

"Shall the Town of Midtown be allowed to assess an additional $289,900 in real estate and personal property taxes for the fiscal year beginning July first, nineteen hundred and eighty-five?"

[28A] YES [46]
[29A] NO [47]

QUESTION NO. 2. This question is not binding.

"Shall the town direct the Board of Selectmen to establish a four-day work week for town employees and to report thereon at the next annual town meeting?"

[33A] YES [52]
[34A] NO [53]

Note: If voting machines are used, add the column number and letter for each candidate corresponding to his position on the ballot as shown in brackets to the left of each candidate above. The numbers to the left of YES and NO refer to columns if office and candidate labels are used for questions. The printer may have to determine these numbers unless you can accurately estimate the number of columns required to print the question text. When questions appear at the top of the machine, usually no column numbers are printed on the labels.

If punch cards (except Datavote) are used, add the number for each candidate, YES and NO corresponding to the number on the punch card ballot as shown in brackets to the right of each candidate above. If the vendor is printing ballot booklets, you do not need to enter the candidate numbers. For Datavote, no candidate numbers are needed.

SAMPLE

Commonwealth
of
Massachusetts

City/Town of MIDTOWN

Seal ? **CARD**________ **FRONT**

If so please enclose a black and white seal approximately 1" in diameter

Date of Election March 25, 1985

Type of Election Annual Town Election

Data Vote Layout Sheet

MODERATOR for one year — Vote for ONE	▶☐
JOHN L. SMITH 14 Center Street Candidate for Re-election	▶☐
SELECTMAN for three years — Vote for NOT MORE THAN TWO	▶☐
FRANK R. JONES 31 Roundtree Lane Candidate for Re-election	▶☐
WILLIAM T. ADAMS 413 End Circle	▶☐
ALICE BAKER 11 Pendleton Road	▶☐
ASSESSOR for three years — Vote for ONE	▶☐
[no candidate filed]	▶☐
[Continue entering information as above until all office and candidates have been included]	▶☐
QUESTION NO. 1	▶☐
Shall the town of Midtown be allowed to assess an additional $289,900 in real estate and per-	▶☐
sonal property taxes for the fiscal year beginning July first, nineteen hundred and eighty five?	▶☐
YES	▶☐
NO	▶☐
QUESTION NO. 2 This question in not binding.	▶☐
Shall the town direct the Board of Selectmen to establish a four day work week for town employees	▶☐
and to report thereon at the next annual town meeting?	▶☐
YES	▶☐
NO	▶☐

Note: To include all offices and questions, two sheets will usually be needed. At the top of the second layout sheet enter "B" in the space after "CARD". Questions would probably be entered at the bottom of the second sheet or on a third sheet.

◄ Entries can not exceed 5 inches abbreviate if necessary ►

OFFICIAL PAPER BALLOT - INSIDE

TO VOTE FOR A PERSON MARK A CROSS | X | IN THE SQUARE AT THE RIGHT OF THE NAME.

SELECTMAN For Three Years

Vote for not more than ONE

PAUL F LADD · 8 Connecticut Avenue Candidate for Re-election	☐
	☐

SCHOOL COMMITTEE For Three Years

Vote for not more than TWO

PETER H GARLAND · 33 Glen Street Candidate for Re-election	☐
OLIVA BLANCHETTE · 28 Florence Street	☐
JUDITH D'ANTONIO · 2 Judith Road	☐
STEPHEN M KANE · 21 Ranger Road	☐
	☐
	☐

REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT For Two Years

Vote for not more than ONE

JOHN L DONAHUE · 42 High Street	☐
EDWARD J. WEAGLE · 8 Water Street	☐
	☐

LEONARD MORSE HOSPITAL TRUSTEE For Seven Years

Vote for not more than ONE

WALTER L BURKE · 76 Cottage Street Candidate for Re-election	☐
JOHN E GOODMAN · 40 College Road	☐
	☐

PLANNING BOARD For Five Years

Vote for not more than ONE

JAMES M WILLIAMSON · 19 Clearview Drive Candidate for Re-election	☐
ARTHUR E WRIGHT, JR · 202 Bacon Street	☐
	☐

RECREATION COMMISSIONERS For Three Years

Vote for not more than TWO

THOMAS M McCABE · 22 Wilson Street Candidate for Re-election	☐
DAVID W ORDWAY 109 Pond Street	☐
RONALD V. ORDWAY, JR. · 118 Pond Street	☐
	☐
	☐

COMMISSIONER PUBLIC WORKS For One Year

Vote for not more than ONE

THOMAS L. HUDDY · 73 Hartford Street	☐
	☐

BOARD of PUBLIC HEALTH For Three Years

Vote for not more than ONE

RICHARD N. ABBOTT · 41 Ridge Avenue Candidate for Re-election	☐
	☐

ASSESSOR For Three Years

Vote for not more than ONE

STEVEN E. ADAMS 2 Winnemay Street Candidate for Re-election	☐
	☐

CONSTABLE For One Year

to fill vacancy caused by resignation

Vote for not more than ONE

LINCOLN COOLIDGE · 9 Proctor Street	☐
	☐

TOWN MEETING MEMBERS For Three Years Precinct One

Vote for Not More than SIX

PAULA COHEN 40 Beaver Dam Road Candidate for Re-election	☐
JOAN M CRAIG 5 Virginia Road Candidate for Re-election	☐
WILLIAM F. CROHAN 5 Pelham Road Candidate for Re-election	☐
MARY SHEA 128 Hartford Street Candidate for Re-election	☐
IRENE J CREASIA · 196 Mill Street	☐
THOMAS L HUDDY 73 Hartford Street	☐
	☐
	☐
	☐
	☐
	☐
	☐

TOWN MEETING MEMBERS For Two Years Precinct One

Vote for Not More than ONE

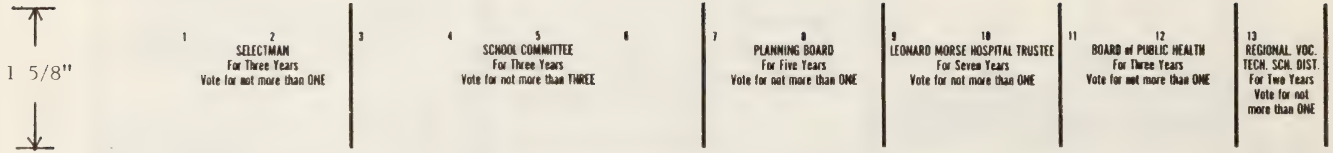
JAMES F GANNON · 5 Westfield Road	☐
	☐

NOTE: The border and the lines between columns are not required.

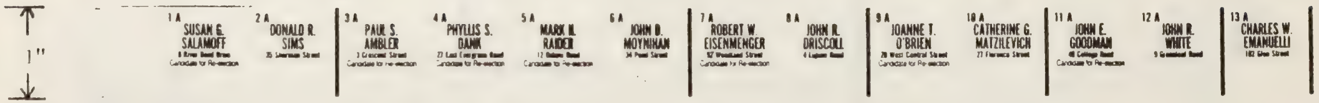
SAMPLE

VOTING MACHINE BALLOT LABELS

OFFICE LABEL


1 5/8"
1
2
SELECTMAN
For Three Years
Vote for not more than ONE
3
4
5
SCHOOL COMMITTEE
For Three Years
Vote for not more than THREE
6
7
8
PLANNING BOARD
For Five Years
Vote for not more than ONE
9
10
LEONARD MORSE HOSPITAL TRUSTEE
For Seven Years
Vote for not more than ONE
11
12
BOARD of PUBLIC HEALTH
For Three Years
Vote for not more than ONE
13
REGIONAL VOC. TECH. SCH. DIST.
For Two Years
Vote for not more than ONE

CANDIDATE LABEL


1"
1 A
SUSAN G. SALAMOFF
Candidate for Re-election
2 A
DONALD R. SIMS
35 Sherman Street
3 A
PAUL S. AMBLER
3 Crescent Street
Candidate for Re-election
4 A
PHYLLIS S. DANK
Candidate for Re-election
5 A
MARK N. RAIDER
Candidate for Re-election
6 A
JOHN D. MOYNIHAN
34 Pond Street
7 A
ROBERT W. EISENMENGER
57 Woodland Street
Candidate for Re-election
8 A
JOHN R. DRISCOLL
9 A
JOANNE T. O'BRIEN
28 West Central Street
Candidate for Re-election
10 A
CATHERINE G. MATZILEVICH
27 Florence Street
11 A
JOHN E. GOODMAN
48 College Road
Candidate for Re-election
12 A
JOHN R. WHITE
13 A
CHARLES W. EMANUELLI
102 Glen Street

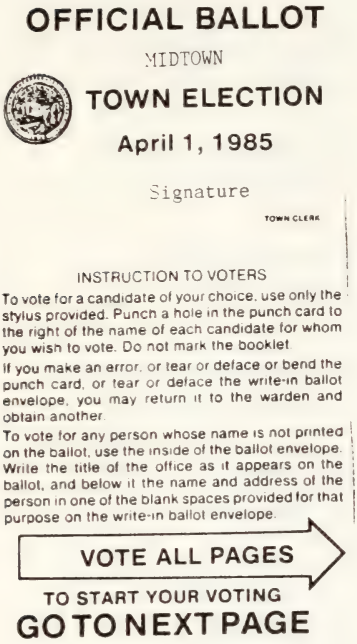
Note: On some voting machines the office label is 1" wide instead of 1 5/8"

SAMPLE

OFFICIAL BALLOT BOOKLET

PUNCH CARD

FIRST CARD - FRONT



OFFICIAL BALLOT

MIDTOWN

TOWN ELECTION

April 1, 1985

Signature

TOWN CLERK

INSTRUCTION TO VOTERS

To vote for a candidate of your choice, use only the stylus provided. Punch a hole in the punch card to the right of the name of each candidate for whom you wish to vote. Do not mark the booklet.

If you make an error, or tear or deface or bend the punch card, or tear or deface the write-in ballot envelope, you may return it to the warden and obtain another.

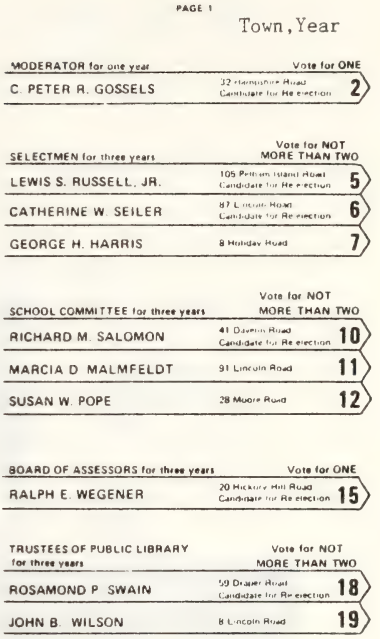
To vote for any person whose name is not printed on the ballot, use the inside of the ballot envelope. Write the title of the office as it appears on the ballot, and below it the name and address of the person in one of the blank spaces provided for that purpose on the write-in ballot envelope.

VOTE ALL PAGES

TO START YOUR VOTING

GO TO NEXT PAGE

FIRST CARD - BACK



PAGE 1

Town, Year

MODERATOR for one year		Vote for ONE
C. PETER R. GOSSELS	32 Hampshire Road Candidate for Re-election	2

SELECTMEN for three years		Vote for NOT MORE THAN TWO
LEWIS S. RUSSELL, JR.	105 Pelham Island Road Candidate for Re-election	5
CATHERINE W. SEILER	87 Lincoln Road Candidate for Re-election	6
GEORGE H. HARRIS	8 Holiday Road	7

SCHOOL COMMITTEE for three years		Vote for NOT MORE THAN TWO
RICHARD M. SALOMON	41 Davelin Road Candidate for Re-election	10
MARCIA D. MALMFELDT	91 Lincoln Road	11
SUSAN W. POPE	28 Moore Road	12

BOARD OF ASSESSORS for three years		Vote for ONE
RALPH E. WEGENER	20 Hickory Hill Road Candidate for Re-election	15

TRUSTEES OF PUBLIC LIBRARY for three years		Vote for NOT MORE THAN TWO
ROSAMOND P. SWAIN	59 Draper Road Candidate for Re-election	18
JOHN B. WILSON	8 Lincoln Road	19

Card Size - 4 1/2" X 7 1/2"

SAMPLE

OFFICIAL BALLOT BOOKLET

PUNCH CARD

SECOND CARD - FRONT

Turn page
to continue voting

DO NOT MARK THIS BOOKLET.
PUNCH ONLY THE CARD YOU INSERTED.

LAST CARD - FRONT

END OF BALLOT

SAMPLE

OFFICIAL BALLOT BOOKLET

PUNCH CARD

(Showing No Candidate Filed)

PAGE 2 Town, Year

TRUSTEES OF PUBLIC LIBRARY for one year		Vote for ONE
RITA R ABERBACH	54 [illegible]	21

BOARD OF HEALTH for three years	Vote for ONE
–No Candidate Filed–	

ROAD COMMISSIONER for three years	Vote for ONE
–No Candidate Filed–	

PLANNING BOARD for five years		Vote for ONE
SUSAN H. ENGLISH	15 Harrison Street	30

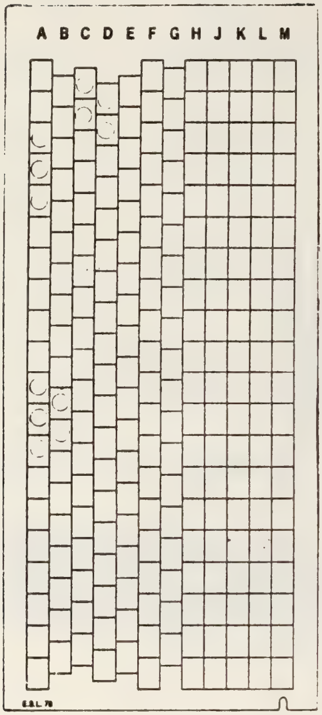
PLANNING BOARD for two years		Vote for ONE
RICHARD H. CROMWELL	9 Curman's Lane	33

PARK & RECREATION COMMISSIONER for three years		Vote for NOT MORE THAN TWO
STEVEN C. HODGE	17 Langdon Road Candidate for Re-election	36
GEORGE R. WELDON, JR.	5 Bigelow Road Candidate for Re-election	37

SAMPLE

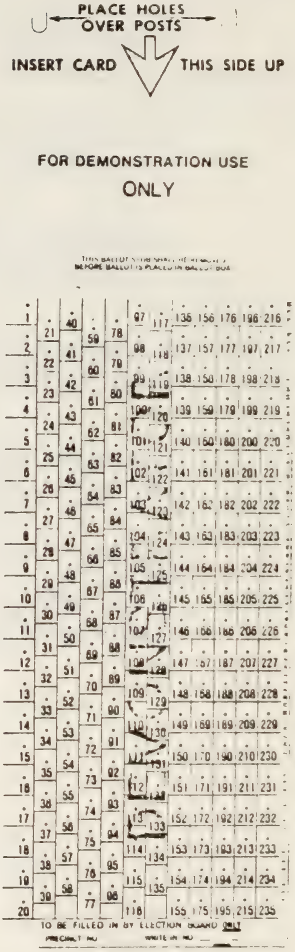
YELLOW MASK

About 3½" X 8"


A B C D E F G H J K L M

DEMONSTRATOR PUNCH CARD

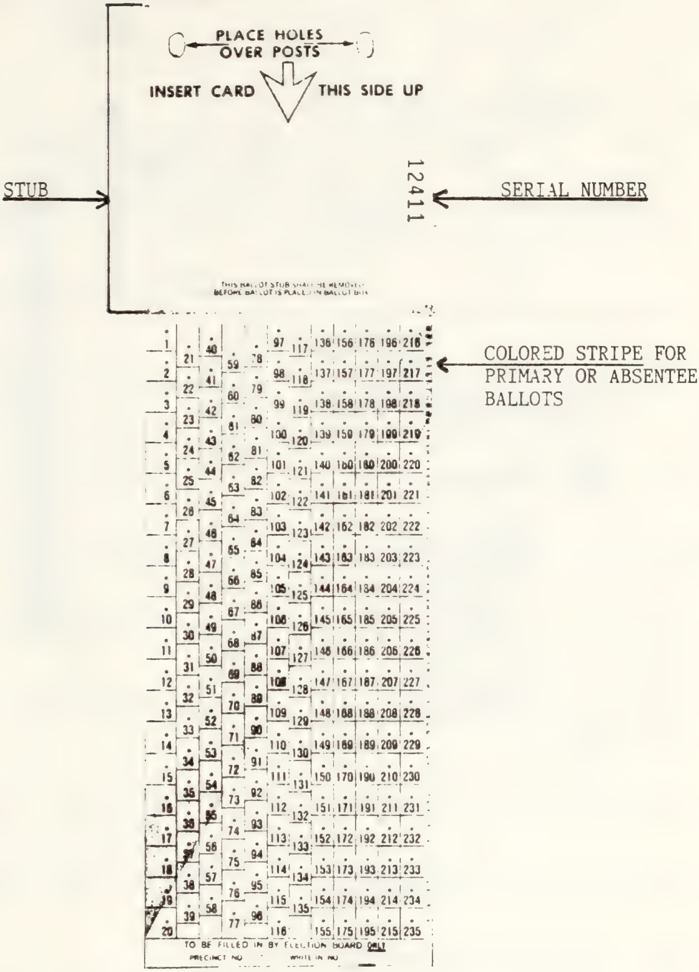
About 3 1/4" X 10 3/4"


PLACE HOLES OVER POSTS
INSERT CARD THIS SIDE UP
FOR DEMONSTRATION USE ONLY
TO BE FILLED IN BY ELECTION BOARD ONLY
PRECINCT NO
WRITE IN NO

SAMPLE

PUNCH CARD BALLOT

About 3 1/4" X 10 3/4"

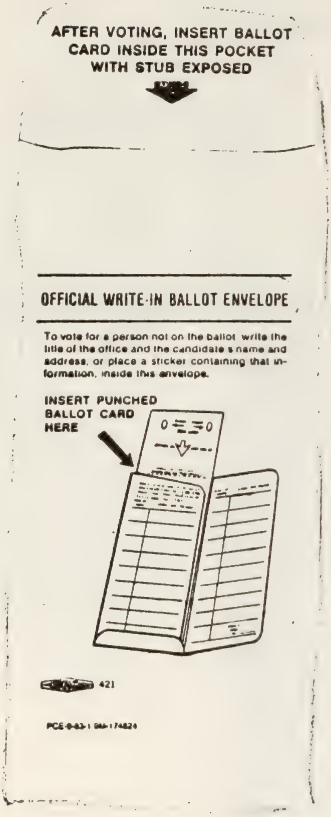

PLACE HOLES OVER POSTS
INSERT CARD
THIS SIDE UP
STUB
12411
SERIAL NUMBER
THIS BALLOT STUB SHALL BE REMOVED BEFORE BALLOT IS PLACED IN BALLOT BOX
COLORED STRIPE FOR PRIMARY OR ABSENTEE BALLOTS
TO BE FILLED IN BY ELECTION BOARD ONLY
PRECINCT NO
WRITE IN NO

SAMPLE

GRAY WRITE-IN ENVELOPE

3 1/2" X 8 7/8"

FLAP CLOSED



AFTER VOTING, INSERT BALLOT CARD INSIDE THIS POCKET WITH STUB EXPOSED

OFFICIAL WRITE-IN BALLOT ENVELOPE

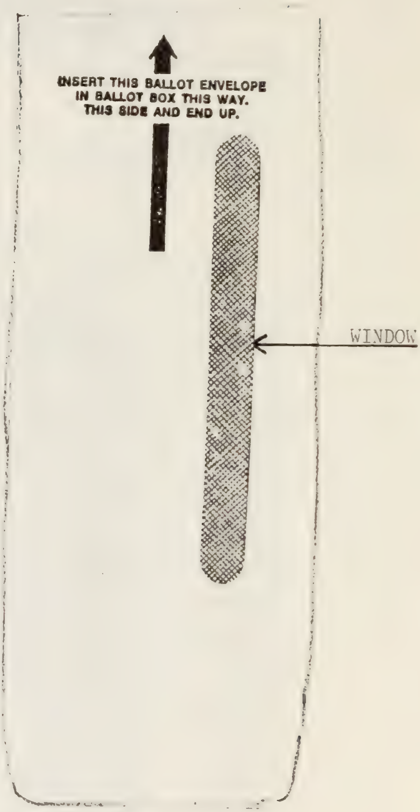
To vote for a person not on the ballot write the title of the office and the candidate's name and address, or place a sticker containing that information, inside this envelope.

INSERT PUNCHED BALLOT CARD HERE

421

PCE-0-83-1 9M-174824

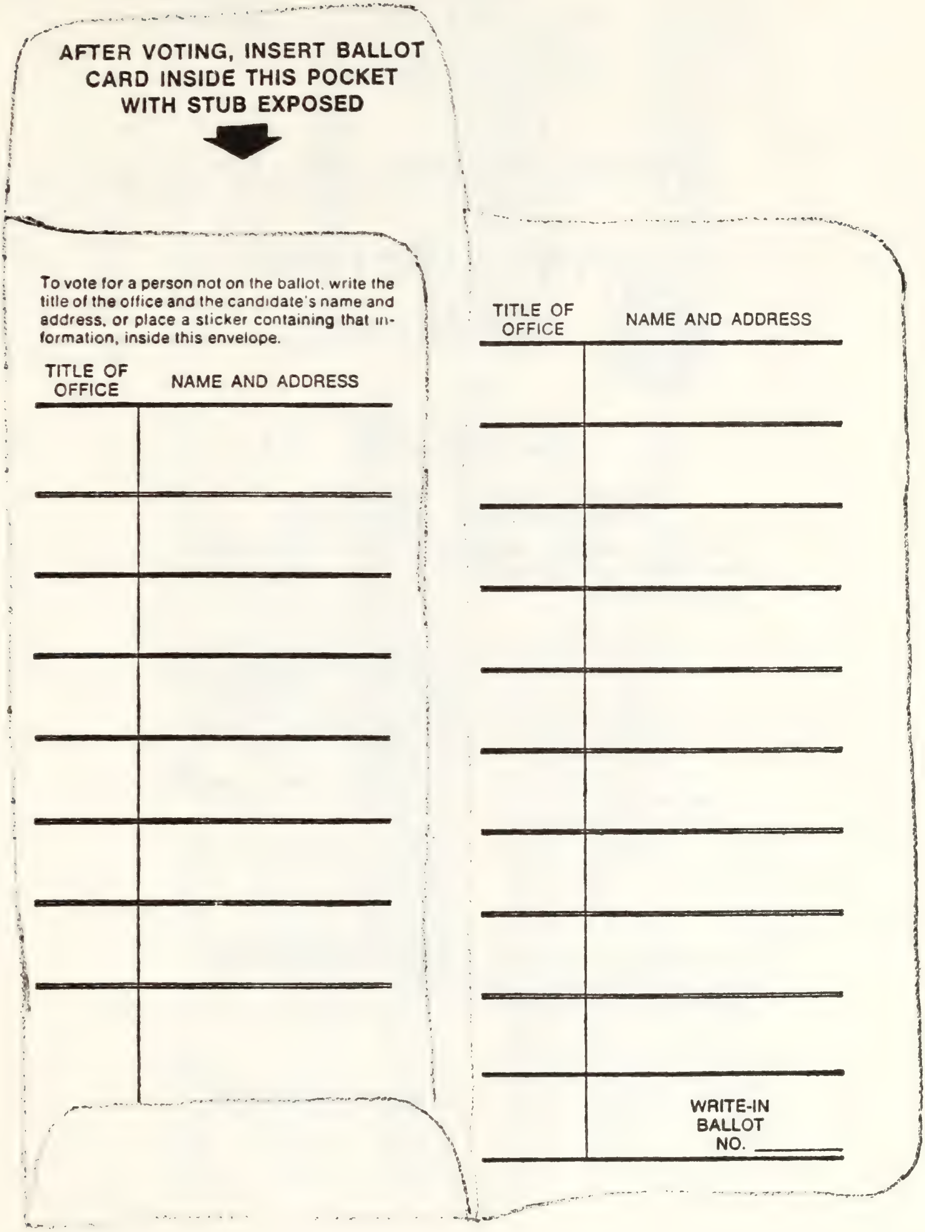
REVERSE



INSERT THIS BALLOT ENVELOPE IN BALLOT BOX THIS WAY. THIS SIDE AND END UP.

GRAY WRITE-IN ENVELOPE

FLAP OPEN



AFTER VOTING, INSERT BALLOT CARD INSIDE THIS POCKET WITH STUB EXPOSED

To vote for a person not on the ballot, write the title of the office and the candidate's name and address, or place a sticker containing that information, inside this envelope.

TITLE OF OFFICE	NAME AND ADDRESS

TITLE OF OFFICE	NAME AND ADDRESS
	WRITE-IN BALLOT NO. ______

OFFICIAL ABSENTEE BALLOT PAMPHLET

OUTSIDE

(PUNCH CARD TOWNS)
(EXCEPT DATAVOTE)

OFFICIAL ABSENTEE BALLOT

Note: The Elections Division recommends that the title OFFICIAL ABSENTEE BALLOT BOOKLET be used to clarify that the voter does not vote by marking the pamphlet.

MIDTOWN

TOWN ELECTION

April 2, 1984

Signature

TOWN CLERK

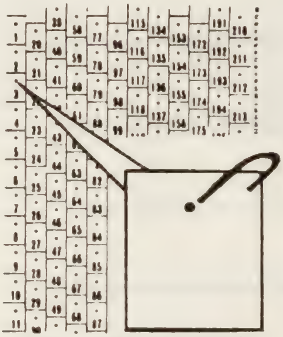
VOTING INSTRUCTIONS

THE NUMBERED CARD ATTACHED TO THE STYROFOAM SHEET IS YOUR BALLOT.

Using the enclosed instrument, punch out the hole with the number corresponding to the number opposite the candidate's name.

GOVERNOR	
GEO. WASHINGTON	1 →
ABE LINCOLN	2 →
THOM. JEFFERSON	3 →

Use the enclosed instrument to punch out the dot selected on the ballot card



To vote for a person not on the ballot, write that person's name, address and the title of the office in the blank spaces provided for that purpose on the gray envelope.

**VOTE ALL PAGES
TO START YOUR VOTING
GO TO NEXT PAGE** →

OFFICIAL ABSENTEE BALLOT PAMPHLET

INSIDE

(PUNCH CARD TOWNS – EXCEPT DATAVOTE)

(Fold in Thirds)

PAGE 1

[Town Year]

MODERATOR for one year		Vote for ONE
C. PETER R. GOSSELS	32 Hampshire Road Candidate for Re-election	2

SELECTMEN for three years		Vote for NOT MORE THAN TWO
MARCIA P. CROWLEY	6 Wayland Hills Road Candidate for Re-election	5
W. H. "DUKE" IRVINE	206 Lakeshore Drive Candidate for Re-election	6

SCHOOL COMMITTEE for three years		Vote for NOT MORE THAN TWO
LINDA L. GREYSER	46 Campbell Road Candidate for Re-election	9
EDWARD J. SOMOL, JR.	95 Woodridge Road Candidate for Re-election	10

BOARD OF ASSESSORS for three years		Vote for ONE
GEORGE S. MEAD	64 School Street Candidate for Re-election	13

TRUSTEES OF PUBLIC LIBRARY for three years		Vote for NOT MORE THAN TWO
JAMES P. MALMFELDT	91 Lincoln Road	16
JERROLD MITCHELL	58 Sedgemeadow Road	17

BOARD OF HEALTH for three years		Vote for ONE
ROBERT S. WENSTRUP	11 Morrill Drive Candidate for Re-election	20

PAGE 2

[Town Year]

ROAD COMMISSIONER for three years		Vote for ONE
DIANE M. WHITE	55 Clubhouse Lane Candidate for Re-election	21

ROAD COMMISSIONER for one year		Vote for ONE
THOMAS B. BOOT	44 Pequot Road	24

PLANNING BOARD for five years		Vote for ONE
LEYANA L. KAFALAS	136 Oxbow Road	27

PARK & RECREATION COMMISSIONER for three years		Vote for ONE
JOHN C. BRYANT	52 Pemberton Road Candidate for Re-election	30

WATER COMMISSIONER for three years		Vote for ONE
ROBERT W. HANLON	75 Glezen Lane Candidate for Re-election	33

COMMISSIONER OF TRUST FUNDS for three years		Vote for ONE
CHARLES T. CASALE	19 Hampshire Road Candidate for Re-election	36

PAGE 3

[Town Year]

HOUSING AUTHORITY for five years		Vote for ONE
MARY M. ANTES	11 Old Farm Circle	40
RICHARD L. HEWITT, SR.	106 Main Street	41
ROBERT F. MEGSON	55 Rice Road	42

QUESTION NO. 1

"Shall the Town of [name] be allowed to assess an additional $289,900 in real estate and personal property taxes for the fiscal year beginning July first, nineteen hundred and eighty-four?"

YES 46

NO 47

QUESTION NO.2

"Shall the Town of [name] be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to reconstruct portions of Stonebridge Road, Plain Road, Millbrook Road, Claypit Hill Road, and for the engineering and design of Sherman's Bridge, Sherman's Bridge Road, Pinebrook Road, and a portion of Old Connecticut Path East?"

YES 52

NO 53

QUESTION NO.3

"Shall the Town of [name] be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to install an Impervious Liner and Leachate Collection System for the Landfill?"

YES 57

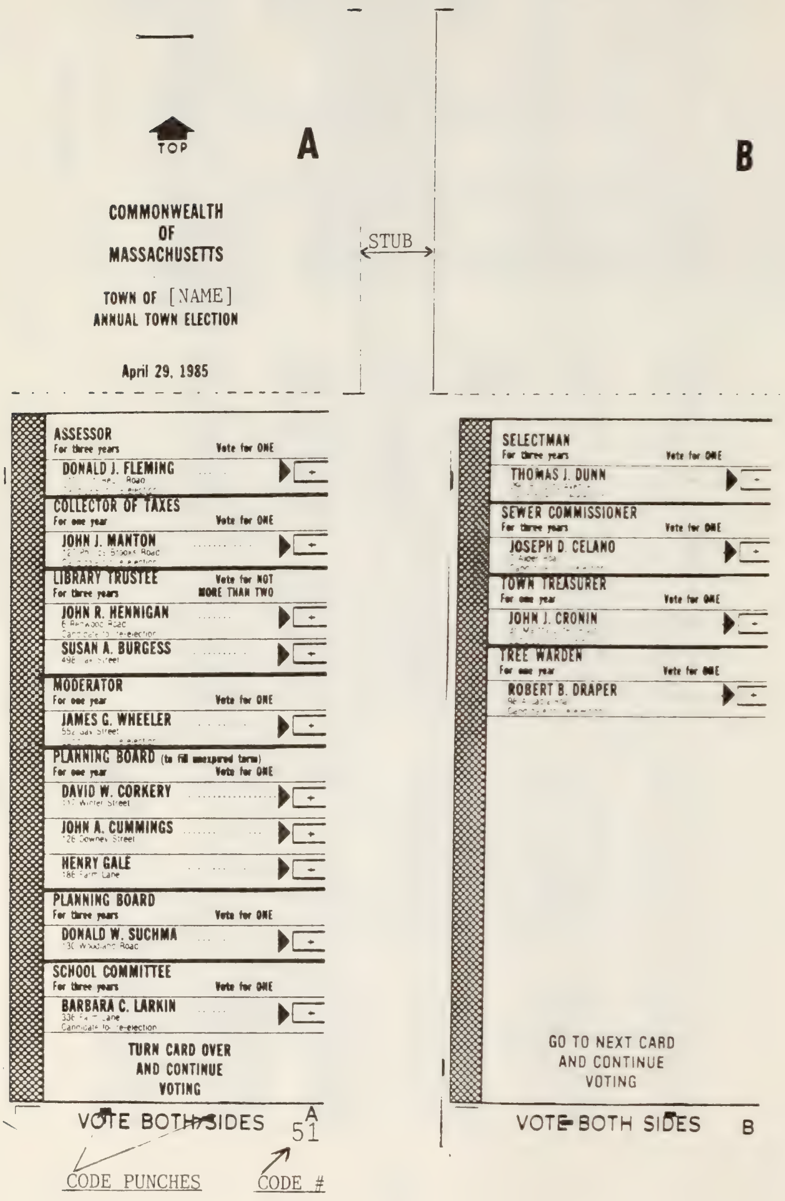
NO 58

END OF BALLOT

SAMPLE

DATAVOTE BALLOT

3¼" X 10"



FRONT - A

BACK - B

TOP

A

COMMONWEALTH
OF
MASSACHUSETTS

TOWN OF [NAME]
ANNUAL TOWN ELECTION

April 29, 1985

STUB

ASSESSOR
For three years — Vote for ONE

- DONALD J. FLEMING — [illegible] Road

COLLECTOR OF TAXES
For one year — Vote for ONE

- JOHN J. MANTON — [illegible] Brooks Road

LIBRARY TRUSTEE
For three years — Vote for NOT MORE THAN TWO

- JOHN R. HENNIGAN — 6 [illegible] Road, Candidate for re-election
- SUSAN A. BURGESS — 498 [illegible] Street

MODERATOR
For one year — Vote for ONE

- JAMES G. WHEELER — 552 [illegible] Street

PLANNING BOARD (to fill unexpired term)
For one year — Vote for ONE

- DAVID W. CORKERY — [illegible] Winter Street
- JOHN A. CUMMINGS — 126 Downey Street
- HENRY GALE — 186 Farm Lane

PLANNING BOARD
For three years — Vote for ONE

- DONALD W. SUCHMA — 130 Woodland Road

SCHOOL COMMITTEE
For three years — Vote for ONE

- BARBARA C. LARKIN — 336 Farm Lane, Candidate for re-election

TURN CARD OVER
AND CONTINUE
VOTING

VOTE BOTH SIDES A

51

B

SELECTMAN
For three years — Vote for ONE

- THOMAS J. DUNN

SEWER COMMISSIONER
For three years — Vote for ONE

- JOSEPH D. CELANO

TOWN TREASURER
For one year — Vote for ONE

- JOHN J. CRONIN

TREE WARDEN
For one year — Vote for ONE

- ROBERT B. DRAPER

GO TO NEXT CARD
AND CONTINUE
VOTING

VOTE BOTH SIDES B

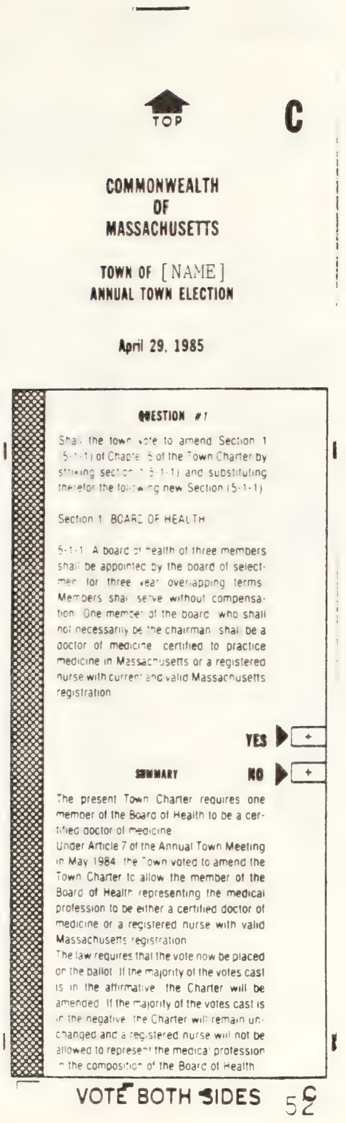
CODE PUNCHES

CODE #

SAMPLE

DATAVOTE BALLOT

FRONT - C
SECOND CARD



TOP

C

COMMONWEALTH
OF
MASSACHUSETTS

TOWN OF [NAME]
ANNUAL TOWN ELECTION

April 29, 1985

QUESTION #1

Shall the town vote to amend Section 1 (5-1-1) of Chapter 5 of the Town Charter by striking section 1 (5-1-1) and substituting therefor the following new Section (5-1-1)

Section 1 BOARD OF HEALTH

5-1-1 A board of health of three members shall be appointed by the board of selectmen for three year overlapping terms Members shall serve without compensation One member of the board who shall not necessarily be the chairman shall be a doctor of medicine certified to practice medicine in Massachusetts or a registered nurse with current and valid Massachusetts registration

YES ▶ ☐

NO ▶ ☐

SUMMARY

The present Town Charter requires one member of the Board of Health to be a certified doctor of medicine

Under Article 7 of the Annual Town Meeting in May 1984 the Town voted to amend the Town Charter to allow the member of the Board of Health representing the medical profession to be either a certified doctor of medicine or a registered nurse with valid Massachusetts registration

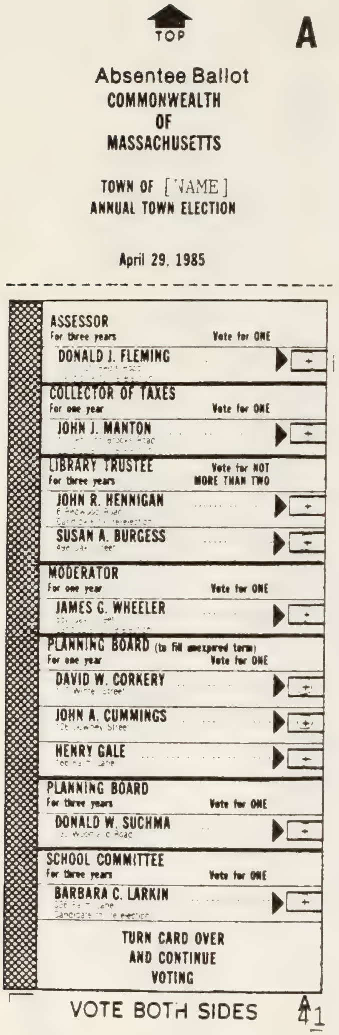
The law requires that the vote now be placed on the ballot If the majority of the votes cast is in the affirmative the Charter will be amended If the majority of the votes cast is in the negative the Charter will remain unchanged and a registered nurse will not be allowed to represent the medical profession in the composition of the Board of Health

VOTE BOTH SIDES 52

SAMPLE

DATAVOTE BALLOT

ABSENTEE



TOP

A

Absentee Ballot
COMMONWEALTH
OF
MASSACHUSETTS

TOWN OF [NAME]
ANNUAL TOWN ELECTION

April 29. 1985

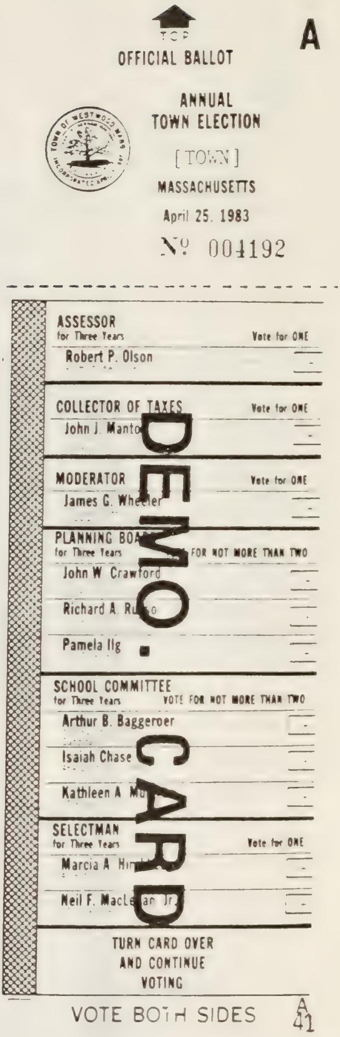
ASSESSOR For three years	Vote for ONE	
DONALD J. FLEMING		☐
COLLECTOR OF TAXES For one year	Vote for ONE	
JOHN J. MANTON		☐
LIBRARY TRUSTEE For three years	Vote for NOT MORE THAN TWO	
JOHN R. HENNIGAN		☐
SUSAN A. BURGESS		☐
MODERATOR For one year	Vote for ONE	
JAMES G. WHEELER		☐
PLANNING BOARD (to fill unexpired term) For one year	Vote for ONE	
DAVID W. CORKERY		☐
JOHN A. CUMMINGS		☐
HENRY GALE		☐
PLANNING BOARD For three years	Vote for ONE	
DONALD W. SUCHMA		☐
SCHOOL COMMITTEE For three years	Vote for ONE	
BARBARA C. LARKIN		☐

TURN CARD OVER
AND CONTINUE
VOTING

VOTE BOTH SIDES

A 41

DEMONSTRATOR



TOP

A

OFFICIAL BALLOT

ANNUAL
TOWN ELECTION

[TOWN]

MASSACHUSETTS

April 25. 1983

№ 004192

DEMO. CARD

ASSESSOR for Three Years	Vote for ONE	
Robert P. Olson		☐
COLLECTOR OF TAXES	Vote for ONE	
John J. Manto		☐
MODERATOR	Vote for ONE	
James G. Wheeler		☐
PLANNING BOA for Three Years	FOR NOT MORE THAN TWO	
John W. Crawford		☐
Richard A. Ru o		☐
Pamela Ilg		☐
SCHOOL COMMITTEE for Three Years	VOTE FOR NOT MORE THAN TWO	
Arthur B. Baggeroer		☐
Isaiah Chase		☐
Kathleen A. Mu		☐
SELECTMAN for Three Years	Vote for ONE	
Marcia A. Hi		☐
Neil F. MacLe an Jr.		☐

TURN CARD OVER
AND CONTINUE
VOTING

VOTE BOTH SIDES

A 41

SAMPLE

SPECIMEN PAPER BALLOT

TOWN OF [NAME]

ANNUAL TOWN ELECTION

List of Candidates nominated to be voted for in the Town of MIDTOWN APRIL 27, 1985

SPECIMEN BALLOT

Signature

Town Clerk

Penalty for wilfully defacing, tearing down, removing, or destroying a list of candidates or specimen ballot—fine not exceeding one hundred dollars.

DISTRICT B

TO VOTE FOR A CANDIDATE, MARK A CROSS (X) IN THE SQUARE AT THE RIGHT OF THE NAME.

MODERATOR **(For one year)**	**Vote for One**
Peter D Leavitt 57 Country Way — Candidate for Re-election	☐
	☐

SELECTMAN **(For three years)**	**Vote for One**
Gerald E Dwight 115 Grove Street	☐
Evelyn S Ferreira 52 Tilden Road	☐
James E Lydon 3 Sunset Road	☐
Edward H Scarsilloni 125 Mann Lot Road	☐
	☐

ASSESSOR **(For three years)**	**Vote for One**
Edward P Horne 226 Beaver Dam Road — Candidate for Re-election	☐
	☐

TOWN CLERK **(For three years)**	**Vote for One**
Pauline F Guivens 25 Wilshire Drive — Candidate for Re-election	☐
	☐

SCHOOL COMMITTEE **(For three years)**	**Vote for One**
Florence L Banks 29 Mary's Lane — Candidate for Re-election	☐
	☐

PLANNING BOARD **(For three years)**	**Vote for One**
Robert B Ladd 712 Country Way — Candidate for Re-election	☐
Judith Ann Bowen 17 Common Street	☐
	☐

PLANNING BOARD (for term expiring May 1986) **(To fill vacancy)**	**Vote for One**
C Michele Dorsey 79 Kenneth Road	☐
Lawrence A Webber 36 Pin Oak Drive	☐
	☐

LIBRARY TRUSTEE **(For three years)**	**Vote for not more than Two**
John A Crowley 56 Arborway Drive	☐
Susan M Pope 10 Puritan Drive	☐
	☐

LIBRARY TRUSTEE (for term expiring May 1986) **(To fill vacancy)**	**Vote for One**
Kay G Litten 37 Ridge Hill Road	☐
	☐

HOUSING AUTHORITY **(For five years)**	**Vote for One**
Donald J Smith 150 Booth Hill Road — Candidate for Re-election	☐
	☐

Also to vote YES or NO on the following questions. To vote on a question, mark a cross (X) in the square at the right of YES or NO

QUESTION NO. 1

Should South Shore commuter rail service be restored on the existing Greenbush Line, which runs from Boston (South Station) to [Town]?

YES ☐
NO ☐

QUESTION NO. 2

Would you commute on the Greenbush rail line if such service was available?

YES ☐
NO ☐

QUESTION NO. 3

Should the State restore commuter rail service on the Greenbush Line, if restoration of this service would require the Town of [name] to subsidize operating costs?

YES ☐
NO ☐

QUESTION NO. 4

The following is a non-binding public opinion advisory question. Does the Town favor the Board of Selectmen granting licenses for the sale of Beer and Wine at grocery stores in the established business zones?

YES ☐
NO ☐

QUESTION NO. 5

The following is a non-binding public opinion advisory question. Does the Town favor the Board of Selectmen granting licenses for the sale of Beer and Wine at grocery stores in the established residential zones?

YES ☐
NO ☐

SPECIMEN BALLOT

(VOTING MACHINE TOWNS)

Penalty for willfully defacing, tearing down, removing or destroying a list of candidates or specimen ballot — fine not exceeding one hundred dollars.

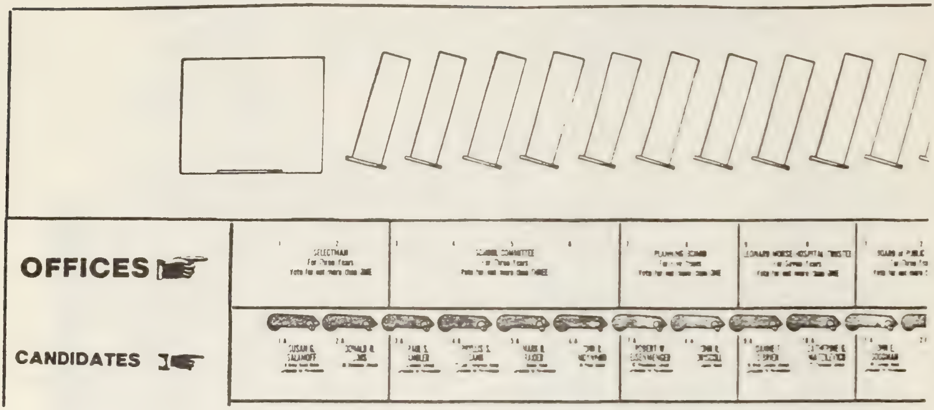
- Pull the red handle to the right and leave it there.
- Push the pointer down over the name of each candidate for whom you wish to vote.
- To register your vote, leave the pointers down and push the red handle to the left.

TOWN OF [NAME]

TOWN ELECTION

MONDAY, MARCH 29, 1982

Automatic Voting Machine Sample Ballot


OFFICES
CANDIDATES
SELECTMAN
For Three Years
Vote for not more than ONE
SCHOOL COMMITTEE
For Three Years
Vote for not more than THREE
PLANNING BOARD
Vote for not more than ONE
LEONARD MORSE HOSPITAL TRUSTEE
For Seven Years
Vote for not more than ONE
SUSAN G. SALAMOFF

SPECIMEN BALLOT

(PUNCH CARD TOWNS)

(EXCEPT DATAVOTE)

PAGE 1

[Town Year]

MODERATOR for one year		Vote for ONE
C PETER R GOSSELS	32 Hampshire Road Candidate for Re-election	2

SELECTMEN for three years		Vote for NOT MORE THAN TWO
MARCIA P. CROWLEY	6 Wayland Hills Road Candidate for Re-election	5
W. H. "DUKE" IRVINE	206 Lakeshore Drive Candidate for Re-election	6

SCHOOL COMMITTEE for three years		Vote for NOT MORE THAN TWO
LINDA L. GREYSER	46 Campbell Road Candidate for Re-election	9
EDWARD J. SOMOL, JR.	95 Woodridge Road Candidate for Re-election	10

BOARD OF ASSESSORS for three years		Vote for ONE
GEORGE S. MEAD	64 School Street Candidate for Re-election	13

TRUSTEES OF PUBLIC LIBRARY for three years		Vote for NOT MORE THAN TWO
JAMES P. MALMFELDT	91 Lincoln Road	16
JERROLD MITCHELL	58 Sedgemeadow Road	17

BOARD OF HEALTH for three years		Vote for ONE
ROBERT S. WENSTRUP	11 Morrill Drive Candidate for Re-election	20

PAGE 2

[Town Year]

ROAD COMMISSIONER for three years		Vote for ONE
DIANE M. WHITE	55 Clubhouse Lane Candidate for Re-election	21

ROAD COMMISSIONER for one year		Vote for ONE
THOMAS B. BOOT	44 Pequot Road	24

PLANNING BOARD for five years		Vote for ONE
LEYANA L. KAFALAS	136 Oxbow Road	27

PARK & RECREATION COMMISSIONER for three years		Vote for ONE
JOHN C. BRYANT	52 Pemberton Road Candidate for Re-election	30

WATER COMMISSIONER for three years		Vote for ONE
ROBERT W. HANLON	75 Glezen Lane Candidate for Re-election	33

COMMISSIONER OF TRUST FUNDS for three years		Vote for ONE
CHARLES T. CASALE	19 Hampshire Road Candidate for Re-election	36

PAGE 3

[Town Year]

HOUSING AUTHORITY for five years		Vote for ONE
MARY M. ANTES	11 Old Farm Circle	40
RICHARD L. HEWITT, SR.	106 Main Street	41
ROBERT F MEGSON	55 Rice Road	42

QUESTION NO. 1

"Shall the Town of [name] be allowed to assess an additional $289,900 in real estate and personal property taxes for the fiscal year beginning July first, nineteen hundred and eighty-four?"

YES 46

NO 47

QUESTION NO.2

"Shall the Town of [name] be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to reconstruct portions of Stonebridge Road, Plain Road, Millbrook Road, Claypit Hill Road, and for the engineering and design of Sherman's Bridge, Sherman's Bridge Road, Pinebrook Road, and a portion of Old Connecticut Path East?"

YES 52

NO 53

QUESTION NO.3

"Shall the Town of [name] be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to install an Impervious Liner and Leachate Collection System for the Landfill?"

YES 57

NO 58

END OF BALLOT

SPECIMEN

Penalty for willfully defacing, tearing down, removing or destroying a List of Candidates or Speciman Ballot. Fine not exceeding One Hundred Dollars.

SAMPLE – DATAVOTE (FIRST CARD)

SPECIMEN BALLOT

COMMONWEALTH
OF
MASSACHUSETTS

TOWN OF [NAME]
ANNUAL TOWN ELECTION

April 29, 1985

Penalty for wilfully defacing, tearing down, removing or destroying a list of candidates or specimen ballot — FINE NOT EXCEEDING ONE HUNDRED DOLLARS

INSTRUCTIONS TO VOTERS

To vote for a candidate whose name appears on the ballot, PUNCH OUT THE CROSS + to the right of the candidate's name. Where two or more candidates for the same office are to be elected, PUNCH OUT THE CROSS + to the right of the names of all candidates for the office for whom you desire to vote not to exceed, however, the number of candidates to be elected.

To vote for a person whose name is not printed on the ballot, use the inside of the ballot envelope. Write the title of the office as it appears on the ballot and below it the name and address of the person in one of the blank spaces provided for that purpose on the write-in ballot envelope.

To vote on any measure, PUNCH OUT THE CROSS + in the voting square after the word "YES" or after the word "NO".

All distinguishing marks or erasures are forbidden and make the ballot void.

If you wrongly punch, tear or deface any portion of your ballot card(s), replace the card(s) in the Ballot Envelope and return it to the precinct board member and obtain another set.

MAKE SURE YOU VOTE BOTH SIDES OF YOUR BALLOT CARD(S).

AFTER YOU HAVE COMPLETED VOTING, PLACE YOUR BALLOT CARD(S) IN THE BALLOT ENVELOPE WITH THE NUMBERED STUB(S) AT THE TOP AND HAND IT TO THE PRECINCT BOARD MEMBER WHO SHALL, IN THE PRESENCE OF THE VOTER, REMOVE NUMBERED STUB(S), HAND SAME TO THE VOTER AND DEPOSIT THE VOTED BALLOT IN THE BALLOT BOX.

To Vote For A Person Punch Out Plus Sign [+] In Box At The Right Of The Name

---

ASSESSOR
For three years — Vote for ONE

- DONALD J. FLEMING ▶ [+]

COLLECTOR OF TAXES
For one year — Vote for ONE

- JOHN J. MANTON ▶ [+]

LIBRARY TRUSTEE
For three years — Vote for NOT MORE THAN TWO

- JOHN R. HENNIGAN ▶ [+]
- SUSAN A. BURGESS ▶ [+]

MODERATOR
For one year — Vote for ONE

- JAMES G. WHEELER ▶ [+]

PLANNING BOARD (to fill unexpired term)
For one year — Vote for ONE

- DAVID W. CORKERY ▶ [+]
- JOHN A. CUMMINGS ▶ [+]
- HENRY GALE ▶ [+]

PLANNING BOARD
For three years — Vote for ONE

- DONALD W. SUCHMA ▶ [+]

SCHOOL COMMITTEE
For three years — Vote for ONE

- BARBARA C. LARKIN ▶ [+]
  Candidate for re-election

TURN CARD OVER
AND CONTINUE
VOTING

VOTE BOTH SIDES A

SELECTMAN
For three years — Vote for ONE

- THOMAS J. DUNN ▶ [+]

SEWER COMMISSIONER
For three years — Vote for ONE

- JOSEPH D. CELANO ▶ [+]

TOWN TREASURER
For one year — Vote for ONE

- JOHN J. CRONIN ▶ [+]

TREE WARDEN
For one year — Vote for ONE

- ROBERT B. DRAPER ▶ [+]

GO TO NEXT CARD
AND CONTINUE
VOTING

VOTE BOTH SIDES B

SAMPLE - DATAVOTE (SECOND CARD)

SPECIMEN BALLOT

COMMONWEALTH
OF
MASSACHUSETTS

TOWN OF [NAME]
ANNUAL TOWN ELECTION

April 29, 1985

Penalty for wilfully defacing, tearing down, removing or destroying a list of candidates or specimen ballot — FINE NOT EXCEEDING ONE HUNDRED DOLLARS

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AFTER YOU HAVE COMPLETED VOTING PLACE YOUR BALLOT CARD(S) IN THE BALLOT ENVELOPE WITH THE NUMBERED STUB(S) AT THE TOP AND HAND IT TO THE PRECINCT BOARD MEMBER WHO SHALL IN THE PRESENCE OF THE VOTER REMOVE NUMBERED STUB(S) HAND SAME TO THE VOTER AND DEPOSIT THE VOTED BALLOT IN THE BALLOT BOX

To Vote For A Person Punch Out Plus Sign ⊞ In Box At The Right Of The Name

---

QUESTION #[illegible]

[illegible] Town vote [illegible] Chapter [illegible] section [illegible] therefor the following new [illegible]

Section 1. BOARD OF HEALTH

[illegible] A board of health of three members shall be appointed by the board of selectmen for three year overlapping terms. Members shall serve without compensation. One member of the board, who need not necessarily be the [illegible] shall be a doctor of medicine certified to practice medicine in Massachusetts or a registered nurse with current and valid Massachusetts registration.

YES ▶ ☐ +

NO ▶ ☐ +

SUMMARY

The present Town Charter requires one member of the Board of Health to be a certified doctor of medicine.

Under Article 7 of the Annual Town Meeting in May 1984 the Town voted to amend the Town Charter to allow the member of the Board of Health representing the medical profession to be either a certified doctor of medicine or a registered nurse with valid Massachusetts registration.

The law requires that the vote now be placed on the ballot. If the majority of the votes cast is in the affirmative, the Charter will be amended. If the majority of the votes cast is in the negative, the Charter will remain unchanged and a registered nurse will not be allowed to represent the medical profession in the composition of the Board of Health.

VOTE BOTH SIDES 59

BACK OF ABSENTEE BALLOT

(PAPER BALLOT & VOTING MACHINE TOWNS)

INSTRUCTIONS FOR ABSENTEE VOTING

IMPORTANT — DO NOT MARK YOUR BALLOT UNTIL YOU HAVE READ INSTRUCTIONS COMPLETELY!

BEFORE YOU VOTE:

Make sure you are eligible. You may vote absentee only if you will be unable to vote at the polls on election day because of:

- absence from your city or town during the hours the polls are open
- physical disability
- religious beliefs

Arrange for a witness to be present before you mark your ballot.

Your absentee ballot must be witnessed by any person eighteen years of age or older, unless you have filed a doctor's certificate of permanent physical disability with your local clerk, or unless you are voting outside the United States.

- Candidates for office may not witness absentee ballots, unless they are city or town clerks.

Arrange for any assistance you may require. If you cannot mark your own ballot because you are physically disabled, unable to write, or unable to read or to read English, you may choose any person to mark your ballot for you. You may ask the witness to do this if you wish.

VOTING INSTRUCTIONS FOR ALL VOTERS

(except those who either have filed a doctor's certificate of permanent physical disability, or who are voting outside the United States)

1. Show your unmarked ballot to the witness.

2. Mark your ballot while alone, but in the witness's presence. Do not talk to the witness about the votes you are casting or let the witness see how you vote, unless you need assistance in reading or marking your ballot and have requested help.

3. Fold your completed ballot and seal it in the smallest ballot envelope. This envelope has an affidavit printed on the front of it.

4. Sign and swear to the affidavit before the witness. Be sure to sign your name as you are registered. (The ballot was mailed to you in your registered name.)

5. Have the witness complete and personally sign the proper section. If you were unable to mark the ballot yourself, the witness must state that you needed assistance, and the reason, on the affidavit and must also sign your name on the envelope.

6. Put the completed ballot envelope in the large mailing envelope which is already addressed to your city or town clerk or election commissioner. Unless you are NOW voting at your clerk's office, you must MAIL your ballot to your city or town clerk. It cannot be delivered in person unless you are voting at a designated health care facility. To have your ballot counted, mail it in time to reach your local election officials before the polls close on election day.

VOTING INSTRUCTIONS FOR CERTIFIED PERMANENTLY DISABLED VOTERS AND VOTERS OUTSIDE THE UNITED STATES

A witness is not required either for permanently disabled voters who have filed a doctor's certificate with their local clerk and are on an official list, or for voters who are outside the United States. Follow voting instructions given for all voters except that you do not have to vote in the presence of a witness. Mark your ballot, place it in the envelope, and complete the affidavit yourself.

TO VOTE IN PERSON AT THE POLLS

If you have applied for this absentee ballot but later find that you are able to and want to vote in person at the polls, you must obtain a certificate giving you the authority to do so from your city or town clerk or election commissioner. You cannot obtain this certificate once your absentee ballot has been processed.

ABSENTEE VOTING INSTRUCTIONS

(PUNCH CARD TOWNS - EXCEPT DATAVOTE)

VOTING INSTRUCTIONS

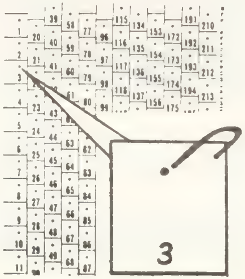
THE NUMBERED CARD ATTACHED TO THE STYROFOAM SHEET IS YOUR BALLOT.

(1) Using the **enclosed** instrument, punch out hole with number corresponding to number opposite candidate's name.

GOVERNOR	
GEO WASHINGTON	1 →
ABE LINCOLN	2 →
THOM JEFFERSON	3 →

Use enclosed instrument to punch out the dot selected on the ballot card

OFFICIAL BALLOT



PUNCH CARDS

INSTRUCTIONS FOR ABSENTEE VOTING

READ CAREFULLY BEFORE VOTING
BEFORE YOU VOTE:

Make sure you are eligible You may vote absentee only if you will be unable to vote at the polls on election day because of

absence from your city or town during the hours the polls are open
physical disability
religious beliefs

Arrange for a witness to be present before you punch your ballot card. Your absentee ballot must be witnessed by any person eighteen years of age or older unless you have filed a physician's certificate of permanent physical disability with your local clerk, or unless you are voting **outside** the United States

- Candidates for office (except for city and town clerks) may not witness absentee ballots

Arrange for any assistance you may require. If you cannot punch your own punch card ballot because you are physically disabled unable to write unable to read or to read English you may choose any person to punch your ballot card for you You may ask the witness to do this if you wish

VOTING INSTRUCTIONS FOR ALL VOTERS
(Except those who have filed a certificate of permanent physical disability, or who are voting outside the United States.)

1 Show your **unpunched** ballot card to the witness

2 Punch your ballot card while alone but in the witness's presence Unless you require assistance and have arranged for the witness's help (see above) do not talk to the official about the votes you are casting or let the witness see how you vote

3 Open this booklet completely and you will see the entire ballot Decide whom you wish to vote for and then take out the punch card ballot to register your votes **Do not vote for more candidates than the number allowed for each office.**

4 Use the metal stylus provided and punch out the dot **above** *the* number on the punch card ballot that is the same as the number to the right of the name you are voting for in the ballot booklet See diagram on page 1

IMPORTANT: Punch only with the stylus - never with a pencil or pen. Your vote is recorded by punching the punch card ballot -not by marking the booklet. Do not fold or bend or damage the punch card in any way It must go through a computer to be counted

5 To vote for a person not listed in the ballot booklet use the gray envelope In one of the blank spaces on the inside of the envelope insert a sticker or write in the title of the office and the name and address of the candidate of your choice Do not forget to include the office title next to the sticker or write-in

6 After punching the ballot card remove it carefully from the foam backing and insert it in the gray envelope Return only the punch card and gray envelope do not return this booklet or the foam backing

7 Place the gray envelope containing your punched ballot card in the smallest ballot envelope and seal the envelope This envelope has an affidavit printed on the front of it

8 Sign and swear to the affidavit before the witness Be sure to sign your name as you are registered (The ballot was mailed to you in your registered name)

9 Have the witness complete and personally sign the proper section If you were unable to punch the ballot card yourself the witness must state this on the affidavit and explain the reason In this case the witness will also sign your name on the envelopes

10 Put the completed ballot envelope in the large mailing envelope which is already addressed to your city or town clerk or election commissioners Unless you are **NOW** voting at your clerk's office you must **MAIL** your ballot to your city or town clerk You cannot have it delivered in person unless you are voting at a designated health care facility To have your ballot counted mail it in time to reach your local election officials before the polls close on election day

VOTING INSTRUCTIONS FOR CERTIFIED PERMANENTLY DISABLED VOTERS AND VOTERS OUTSIDE THE UNITED STATES

For permanently disabled voters who have filed a doctor's certificate with their local clerk and are on an official list or for voters who are outside the United States follow voting instructions given for all voters except that you do not have to vote in the presence of a witness Mark your ballot, place it in the envelope and complete the affidavit yourself

TO VOTE, LATER, IN PERSON

If you have mailed your absentee ballot but want to vote in person at the polling place on election day you must obtain a certificate giving you the authority to do so from your city or town clerk or election commissioner You cannot obtain this certificate once your absentee ballot has been processed

ABSENTEE VOTING INSTRUCTIONS

(DATAVOTE)

INSTRUCTIONS FOR ABSENTEE VOTING

READ CAREFULLY BEFORE VOTING

BEFORE YOU VOTE:

Make sure you are eligible. You may vote absentee only if you will be unable to vote at the polls on election day because of

- absence from your city or town during the hours the polls are open
- physical disability
- religious beliefs

Arrange for an official to be present before you punch your ballot card. Your absentee ballot must be witnessed by one of the following officials unless you have filed a physician's certificate of permanent physical disability with your local clerk.

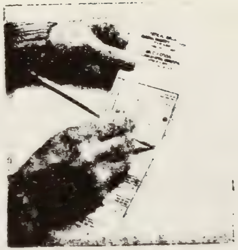
- an official authorized by law to administer oaths, such as a notary public. Massachusetts notaries may not charge a fee for notarizing absentee ballots. Candidates for office (except for city and town clerks) may not notarize absentee ballots
- a commissioned or warrant officer or non-commissioned officer not below the rank of sergeant or petty officer, if you are in the federal service
- a registrar or assistant registrar at your college, if you are a college student.
- a city or town clerk or election commissioner, only if you are NOW voting at your clerk's office

Arrange for any assistance you may require. If you cannot punch your own punch card ballot because you are physically disabled, unable to write, unable to read or to read English, you may choose a registered voter to punch your ballot card for you. You may ask the official to do this if you wish

VOTING INSTRUCTIONS FOR ALL VOTERS (Except those who have filed a certificate of permanent physical disability)

1 Show your **unpunched** ballot card to the official

2. Punch your ballot card while alone but in the official's presence. Unless you require assistance and have arranged for the official's help (see above) do not talk to the official about the votes you are casting or let the official see how you vote



3 Decide whom you wish to vote for and then take out the punch card ballot to register your votes. **Do not vote for more candidates than the number allowed for each office.**

4 Use a pen or pencil and punch out the dot beside the name on the punch card ballot. See diagram above. **IMPORTANT:** Do not fold or bend or damage the punch card in any way. It must go through a computer to be counted

5 To vote for a person not listed on the ballot use the gray envelope. In one of the blank spaces on the inside of the envelope insert a sticker or write in the title of the office and the name and address of the candidate of your choice. Do not forget to include the office title next to the sticker or write-in

6 After punching the ballot card remove it carefully from the styrofoam and insert it in the gray envelope. Return only the punch card and gray envelope do not return this booklet or the styrofoam

7 Place the gray envelope containing your punched ballot card in the smallest ballot envelope and seal the envelope. This envelope has an affidavit printed on the front of it.

8 Sign and swear to the affidavit before the official. Be sure to sign your name as you are registered. (The ballot was mailed to you in your registered name.)

9 Have the official complete and personally sign the proper section. If you were unable to punch the ballot card yourself the official must state this on the affidavit and explain the reason. In this case the official will also sign your name on the envelopes. Military officials or college registrars must include their full title

10 Put the completed ballot envelope in the large mailing envelope which is already addressed to your city or town clerk or election commissioners. Unless you are NOW voting at your clerk's office, you must **MAIL** your ballot to your city or town clerk. You cannot have it delivered in person. To have your ballot counted, mail it in time to reach your local election officials before the polls close on election day.

VOTING INSTRUCTIONS FOR CERTIFIED PERMANENTLY DISABLED VOTERS (Those who have filed a certificate with their local clerk and are on an official list)

Follow voting instructions given for all voters except that you do not have to vote in the presence of an official and no notarization is required. Punch the ballot card, place it in the envelopes, and complete the affidavit yourself

TO VOTE, LATER, IN PERSON

If you have mailed your absentee ballot but want to vote in person at the polling place on election day, you must obtain a certificate giving you the authority to do so from your city or town clerk or election commissioner. You cannot obtain this certificate once your absentee ballot has been processed.

TO CHANGE PARTY ENROLLMENT

When this ballot is processed you become enrolled in the party named on this ballot. You must make a written request to your local election officials to change your enrollment

Note: This sample shows the format and text used with absentee ballots in the 1984 state primary. The same format may be used in town elections. Note, however, that the text should be revised to reflect the 1985 amendments to the General Laws with respect to witnessing absentee ballots and the last paragraph concerning changing party enrollment is not needed for elections. See pages for revised text.

REVISED TEXT - ABSENTEE VOTING INSTRUCTIONS
(DATAVOTE)

READ CAREFULLY BEFORE VOTING

BEFORE YOU VOTE:

Make sure you are eligible. You may vote absentee only if you will be unable to vote at the polls on election day because of:

- absence from your city or town during the hours the polls are open
- physical disability
- religious beliefs

Arrange for a witness to be present before you punch your ballot card. Your absentee ballot must be witnessed by any person eighteen years of age or older, unless you have filed a physician's certificate of permanent physical disability with your local clerk.

- candidates for office (except for city and town clerks) may not witness absentee ballots.

Arrange for any assistance you may require. If you cannot punch your own punch card ballot because you are physically disabled, unable to write, unable to read or to read English, you may choose any person to punch your ballot card for you. You may ask the witness to do this if you wish.

VOTING INSTRUCTIONS FOR ALL VOTERS
(Except those who have filed a certificate of permanent physical disability or who are voting outside the United States)

1. Show your unpunched ballot card to the witness.
2. Punch you ballot card while alone, but in the witness's presence. Unless you require assistance and have arranged for help (see above), do not talk to the witness about the votes you are casting or let the witness see how you vote.
3. Do not vote for more candidates than the number allowed for each office.
4. Use a pencil and punch out the cross beside the name on the punch card ballot. See diagram above. IMPORTANT: Do not fold or bend or damage the punch card in any way. It must go through a computer to be counted.
5. To vote for a person not listed on the ballot, use the gray envelope. In one of the blank spaces on the inside of the envelope, insert a sticker or write in the title of the office and the name and address of the candidate of your choice. Do not forget to include the office title next to the sticker or write-in.

REVISED TEXT - ABSENTEE VOTING INSTRUCTIONS - PAGE 2
(DATAVOTE)

6. The enclosed foam is to be used as a backing when you vote. After punching the ballot card(s), insert the card(s) into the gray envelope. Do not return the foam backing. [If you do not use foam backing, omit first and last sentences.]

7. Place the gray envelope containing your punched card ballot(s) in the smallest ballot envelope and seal the envelope. This envelope has an affidavit printed on the front of it.

8. Sign and swear to the affidavit before the witness. Be sure to sign your name as you are registered. (The ballot was mailed to you in your registered name.)

9. Have the witness complete and personally sign in the proper section. If you were unable to punch the ballot card yourself, the witness must state this on the affidavit and explain the reason. In this case, the witness will also sign your name on the envelope.

10. Put the completed ballot envelope in the large mailing envelope which is already addressed to your city or town clerk or election commissioners. Unless you are NOW voting at your clerk's office, you must MAIL your ballot to your city or town clerk. You cannot have it delivered in person unless you are voting at a designated health care facility. To have your ballot counted, mail it in time to reach your local election officials before the polls close on election day.

VOTING INSTRUCTIONS FOR CERTIFIED PERMANENTLY DISABLED VOTERS AND VOTERS OUTSIDE THE UNITED STATES

Follow voting instructions given for all voters except that you do not have to vote in the presence of a witness. Punch the ballot card(s), place in the envelopes, and complete the affidavit yourself.

TO VOTE, LATER, IN PERSON

If you have applied for this absentee ballot but later find that you are able to and want to vote in person at the polling place on election day, you must obtain a certificate giving you the authority to do so from your city or town clerk or election commissioners. You cannot obtain this certificate once your absentee ballot has been processed.

SAMPLE BLOCK TALLY SHEET

FORMAT ONE

Form E 230 275M 11 77 142560

ANNUAL TOWN ELECTION

Block No. 1 Ward , City of MIDTOWN MARCH 25 19 35
Prec. 1 , Town (Month Day)

Ballots counted by { } Election Officers.

OFFICES AND CANDIDATES		1 2 3 4 5	6 7 8 9 10	11 12 13 14 15	16 17 18 19 20	21 22 23 24 25	26 27 28 29 30	31 32 33 34 35	36 37 38 39 40	41 42 43 44 45	46 47 48 49 50	TOTALS	CANDIDATES	
MOD.	John L. Smith												Smith	
VOTE	Scattering												Scattering	
1	Blanks												Blanks	
	Total												Total	
SELECT	Frank R. Jones												Jones	VOTE 2
VOTE	William T. Adams												Adams	
2	Alice Baker												Baker	
	Scattering												Scattering	
	Blanks												Blanks	
	Total												Total	
ASSRS	(Write-in)												(Write-in)	
Vote														
1														
	Scattering												Scattering	
	Blanks												Blanks	
	Total												Total	
[Continue until all offices have been entered]														
Q. 1	YES												YES	Q. 1
	NO												NO	
	Blanks												Blanks	
	Total												Total	
[Continue until all questions have been entered]														

SAMPLE BLOCK TALLY SHEET

FORMAT TWO

Form E-230 275M 8-79-152154

Block No. 1 Ward , City of MIDTOWN MARCH 25 1985 Ballots counted by } Election Officers.
Prec. 1 , Town

OFFICES AND CANDIDATES	1 2 3 4 5	6 7 8 9 10	11 12 13 14 15	16 17 18 19 20	21 22 23 24 25	26 27 28 29 30	31 32 33 34 35	36 37 38 39 40	41 42 43 44 45	46 47 48 49 50	TOTALS	CANDIDATES
MODERATOR												MODERATOR
John L. Smith												John L. Smith
Blanks												Blanks
Total												Total
SELECTMAN (Vote 2)												SELECTMAN (Vote 2)
Frank R. Jones												Frank R. Jones
William T. Adams												William T. Adams
Alice Baker												Alice Baker
Blanks												Blanks
Total												Total
ASSESSORS (Write-in)												ASSESSORS (Write-in)
Blanks												Blanks
Total												Total
(Continue until all offices have been entered)												
QUESTION 1												QUESTION 1
YES												YES
NO												NO
Blanks												Blanks
Total												Total
(Continue until all questions have been entered)												

TOTAL VOTE SHEET

FORM E-231A

(PAPER BALLOT TOWNS)

E 231-A 20M 10 81 175884

ANNUAL TOWN ELECTION

The results of canvasses are correctly recorded on Total Vote Sheets

____
Presiding Election Officer.

Total Vote ______ Wd.

(Write titles of offices on this line)	MODERATOR							LIBRARY TRUSTEE					
	SMITH	SCATTERING	BLANKS	TOTAL				JOHNSON	TRUSTMAN	SCATTERING	BLANKS	TOTAL	
Block 1,													
" 2,													
" 3,													
" 4,													
" 5,													
" 6,													
" 7,													
" 8,													
" 9,													
" 10,													
" 11,													
" 12,													
" 13,													
Totals,													

Note: This format may be used as a town total vote vote sheet.

Substitute pct. # for block #. Add "TOWN TOTAL" at top of sheet.

(Write titles of offices on this line)	SELECTMAN VOTE 2							MIDTOWN SCHOOL COM					
	JONES	ADAMS	BAKER	SCATTERING	BLANKS	TOTAL		TEACHER	SCATTERING	BLANKS	TOTAL		
Block 1,													
" 2,													
" 3,													
" 4,													
" 5,													
" 6,													
" 7,													
" 8,													
" 9,													
" 10,													
" 11,													
" 12,													
" 13,													
Totals,													

(Write titles of offices on this line)	ASSESSORS							PLANNING BOARD					
	WRITE-IN	WRITE-IN	WRITE-IN	WRITE-IN	SCATTERING	BLANKS	TOTAL	TRANSIT	SMALLPOT	SCATTERING	BLANKS	TOTAL	
Block 1,													
" 2,													
" 3,													
" 4,													
" 5,													
" 6,													
" 7,													
" 8,													
" 9,													
" 10,													
" 11,													
" 12,													
" 13,													

Note: Add certificate; warden & clerk to sign.

TOTAL VOTE SHEET

FORM E-231A

(PAPER BALLOT TOWNS)

E-231-A 20M-10-83-175864

ANNUAL TOWN ELECTION

The results of canvasses are correctly recorded on Total Vote Sheets

____
Presiding Election Officer.

Total Vote ______ Wd. ______ Prec. 1 Ci

(Write titles of offices on this line)	MODERATOR				SELECTMAN-2							ASSESSOR						LIBRARY TRUSTE			
	SMITH		BLANKS		JONES	ADAMS	BAKER		BLANKS							BLANKS		JOHNSON	TRUSTMAN		BLANKS
Block 1.																					
" 2.																					
" 3.																					
" 4.																					
" 5.																					
" 6.																					
" 7.																					
" 8.																					
" 9.																					
" 10.																					
" 11.																					
" 12.																					
" 13.																					
Totals.																					

(Write titles of offices on this line)

This is to certify that the number of names checked on the voting list was ______ and that the total number of ballots cast was ______.

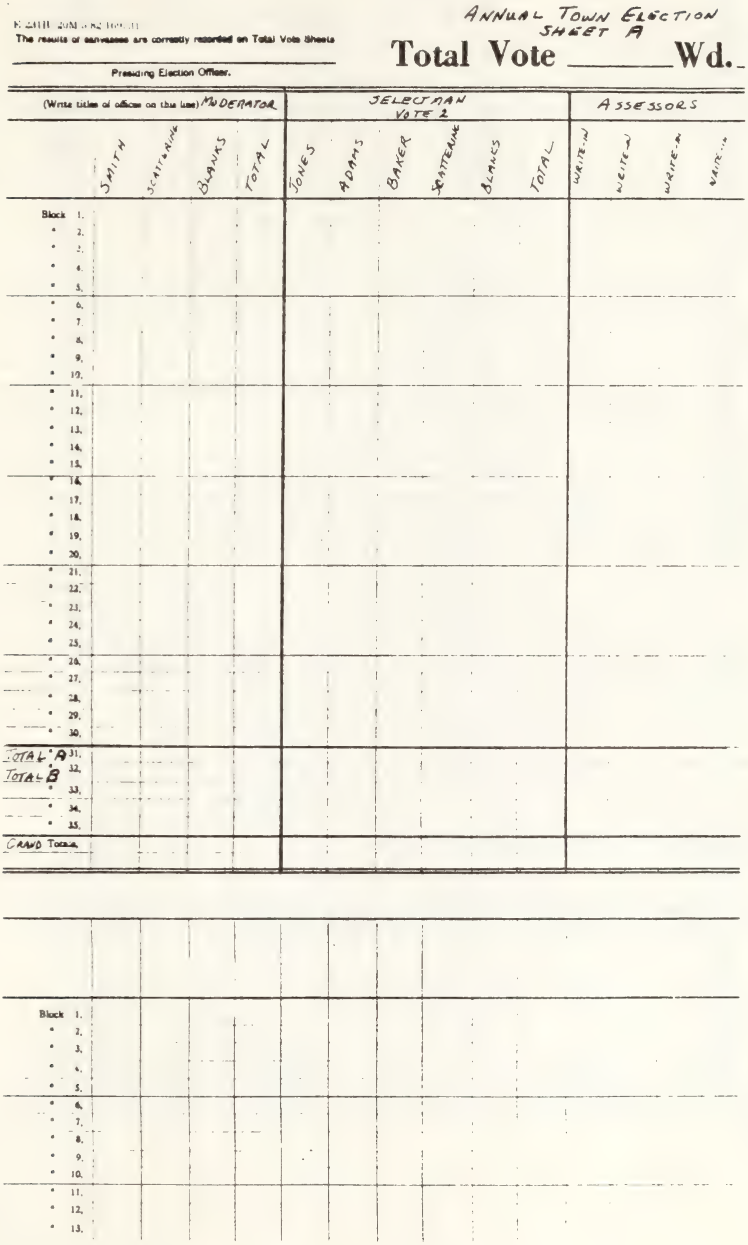
Block 1.																					
" 2.	Election Clerk/Deputy Clerk																				
" 3.																					
" 4.																					
" 5.	Warden Deputy Warden																				
" 6.																					
" 7.																					

Note: This format may be used as a town total vote sheet. Substitute pct. # for block #. Add "TOWN TOTAL" at top of sheet.

TOTAL VOTE SHEET

FORM E-231B

(PAPER BALLOT TOWNS)
(Two Sheets Used for 60 Blocks)



E 231B 20M [illegible]
The results of canvasses are correctly recorded on Total Vote Sheets

Presiding Election Officer.

ANNUAL TOWN ELECTION
SHEET A

Total Vote ______ Wd.

(Write titles of offices on this line) MODERATOR				SELECTMAN VOTE 2						ASSESSORS			
	SMITH	SCATTERING	BLANKS	TOTAL	JONES	ADAMS	BAKER	SCATTERING	BLANKS	TOTAL	WRITE-IN	WRITE-IN	WRITE-IN	WRITE-IN
Block 1.														
" 2.														
" 3.														
" 4.														
" 5.														
" 6.														
" 7.														
" 8.														
" 9.														
" 10.														
" 11.														
" 12.														
" 13.														
" 14.														
" 15.														
" 16.														
" 17.														
" 18.														
" 19.														
" 20.														
" 21.														
" 22.														
" 23.														
" 24.														
" 25.														
" 26.														
" 27.														
" 28.														
" 29.														
" 30.														
TOTAL A " 31.														
TOTAL B " 32.														
" 33.														
" 34.														
" 35.														
GRAND TOTAL														

Block 1.														
" 2.														
" 3.														
" 4.														
" 5.														
" 6.														
" 7.														
" 8.														
" 9.														
" 10.														
" 11.														
" 12.														
" 13.														

Note: Add certificate; warden & clerk to sign.

SAMPLE WRITE-IN TALLY SHEET

(VOTING MACHINE TOWNS)

Form L 230 [illegible]

ANNUAL TOWN ELECTION *WRITE-IN VOTES*

Block No. Ward Prec. , City , Town of *MIDTOWN* *MARCH 25* 19*85* Ballots counted by { } Election Officers.

MACH. #	*COL. #*	*NAME OF* OFFICES ~~AND~~ CANDIDATES	*ADDRESS* 1 2 3 4 5 6 7 8 9 10	11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50	TOTALS	CANDIDATES
120046						
120047						
120048						

SAMPLE FORM E-231M

PRECINCT TOTAL VOTE SHEET

(VOTING MACHINE TOWNS)

E 231M

TALLY SHEET FOR LEVER MACHINES

Use as many pages as you need for all candidates and offices Print the candidates names in slots under the "Lever Number" spaces Leave a few blank slots for possible write ins; then insert a divider column to separate offices

ANNUAL TOWN ELECTION
name of election

MARCH 25, 1985
date of election

MIDTOWN
city or town

WARD ______

PCT. 1

TOTAL VOTE ______ PAGE 1

______ clerk

______ warden

AMES OF OFFICES			MODERATOR			SELECTMAN VOTE 1					ASSESSOR WRITE-IN																								
ARDS OR PRECINCTS																																			
EVER NUMBERS			1A			2A	3A	4A			5A	5A	5A	5A																					
NAMES OF CANDIDATES Print in rectangular slots	VOTES CAST		SMITH			JONES	ADAMS	BAKER																											
Machine No. 120046																																			
Machine No. 120047																																			
Machine No. 120048																																			
Machine No 120049																																			
Machine No. 120050																																			
Machine ~~No.~~ TOTAL																																			
Machine No.																																			
Machine No.																																			
Machine No.																																			
Machine No.																																			
achine No																																			
ABSENTEE																																			
WRITE-IN																																			
TOTAL																																			

For your convenience, this tally sheet may be duplicated on a copy machine.

Note: The column without a title is provided for write-ins or scattering. This format cannot be used for a town total vote sheet since no column is provided for blanks.

SAMPLE FORM E-231M

TOWN TOTAL VOTE SHEET

(VOTING MACHINE TOWNS)

E 231M

TALLY SHEET FOR LEVER MACHINES TOWN TOTAL

Use as many pages as you need for all candidates and offices. Print the candidates names in slots under the "Lever Number" spaces. Leave a few blank slots for possible write-ins; then insert a divider column to separate offices.

ANNUAL TOWN ELECTION
name of election

MARCH 25, 1985
date of election

MIDTOWN
city or town

WARD ________ TOTAL VOTE ________ PAGE ____

PCT. ________

____
clerk

____
warden

NAMES OF OFFICES	MODERATOR						SELECTMAN VOTE 2						ASSESSOR WRITE-IN																					
WARDS OR PRECINCTS																																		
LEVER NUMBERS																																		
NAMES OF CANDIDATES Print in rectangular slots	VOTES CAST		SMITH		BLANKS		JONES	ADAMS	BAKER		BLANKS							BLANKS																
Machine No. PCT 1																																		
Machine No. PCT 2																																		
Machine No. PCT 3																																		
Machine No. PCT 4																																		
Machine No.																																		
Machine No.																																		
Machine No.																																		
Machine No																																		
Machine No.																																		
Machine No																																		
Machine No.																																		
ABSENTEE																																		
WRITE-IN																																		
TOTAL																																		

For your convenience, this tally sheet may be duplicated on a copy machine.

Note: The column without a title is provided for write-ins or scattering. This format may be used as a precinct total vote sheet by substituting machine numbers for precinct numbers

SAMPLE TOTAL TALLY SHEET

VOTING MACHINES

[illegible] A 20M 10-83 [illegible]

MACH BLOCK 1

ANNUAL TOWN ELECTION

The results of canvasses are correctly recorded on Total Vote Sheets

Presiding Election Officer.

Total Vote ______ **Wd.** ______ **Prec.** ______ **City or Town of** ______

(Write titles of offices on this line) MODERATOR				SELECTMAN - VOTE 2						ASSESSOR							
MACH #	1A SMITH	SCATTERING	BLANKS	TOTAL	2A JONES	3A ADAMS	4A BAKER	SCATTERING	BLANKS	TOTAL	5A WRITE-IN	5A WRITE-IN	5A WRITE-IN	5A WRITE-IN	SCATTERING	BLANKS	TOTAL
20046 Block 1,																	
20047																	
20048																	
20049																	
20050																	
20051																	
20052																	
20053																	
MACH. TOTAL																	
MACH BK 2																	
ABS. BAL 1																	
ABS. BAL 2																	
13,																	
GRAND Totals,																	

Block 1,
" 2,
" 3,
" 4,
" 5,
" 6,
" 7,
" 8,
" 9,
" 10,
" 11,
" 12,
" 13,
Totals,

(Write titles of offices on this line)

This is to certify that the titles of the offices, the number of votes cast for each candidate for each office and the number of affirmative and negative votes with respect to each question, as shown above on this tally sheet is a true record of the annual town election held on March 25, 1985.

Teller ______

Teller ______

This is to further certify that

the number of names checked on the voting list was ______

The number of ballots cast was ______

______
Election Clerk/Deputy Election Clerk

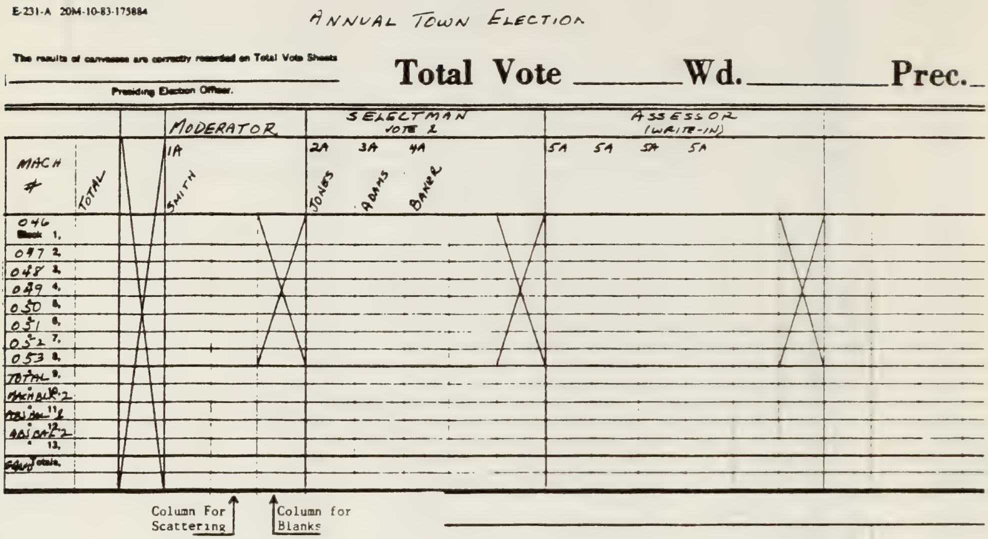
______
Warden/Deputy Warden

Block 1,
" 2,
" 3,
" 4,
" 5,
" 6,
" 7,
" 8,
" 9,
" 10,
" 11,
" 12,
" 13,
Totals,

Block 1,
" 2,
" 3,
" 4,
" 5,
" 6,
" 7,
" 8,
" 9,
" 10,
" 11,
" 12,
" 13,
Totals,

SAMPLE TOTAL VOTE SHEET

VOTING MACHINES



E-231-A 20M-10-83-175884

ANNUAL TOWN ELECTION

The results of canvasses are correctly recorded on Total Vote Sheets

____

Presiding Election Officer.

Total Vote ________ Wd. ____________ Prec. _

			MODERATOR			SELECTMAN VOTE 2				ASSESSOR (WRITE-IN)					
MACH #	TOTAL		1A SMITH			2A JONES	3A ADAMS	4A BAKER		5A	5A	5A	5A		
046 Block 1.															
047 2.															
048 3.															
049 4.															
050 5.															
051 6.															
052 7.															
053 8.															
TOTAL 9.															
MACH BLK 10. 2															
ABS [illegible] 11. 2															
ABS BAL 12. 2															
13.															
GRAND Totals.															

Column For Scattering

Column for Blanks

Note: This format may be used as precinct total vote sheet. Delete "MACH BLK 2" in first column.

This format may also be used as town total vote sheet in towns not voting by precincts.

SAMPLE

TOTAL VOTE SHEET

(PUNCH CARD TOWNS)

E-231 A 20M 10-83-175884

ANNUAL TOWN ELECTION

The results of canvasses are correctly recorded on Total Vote Sheets

____

Presiding Election Officer.

Total Vote ________ Wd. ____________ Prec. 1 Ci

(Write titles of offices on this line)	MODERATOR				SELECTMAN - VOTE 2						ASSESSOR										
	SMITH	SCATTERING	BLANKS	TOTAL	JONES	ADAMS	BAKER	SCATTERING	BLANKS	TOTAL	WRITE-IN	WRITE-IN	WRITE-IN		BLANKS	TOTAL					
COMPUTER Block 1,																					
HAND-COUNT																					
(WRITE-INS) 3,																					
" 4,																					
" 5,																					
" 6,																					
" 7,																					
" 8,																					
" 9,																					
" 10,																					
" 11,																					
" 12,																					
" 13,																					
Totals,																					

(Write titles of offices on this line)

Block 1,
" 2,
" 3,
" 4,
" 5,
" 6,
" 7,
" 8,
" 9,

NOTE: This format may be used as a town total vote sheet by substituting precinct number in the first column and adding "TOWN TOTAL" at the top of the sheet. Line after "Prec." at top would be left blank.

When used as either a precinct or town total vote sheet, total number of votes may be entered in one column instead of under each office.

SAMPLE

TOTAL VOTE SHEET

(PUNCH CARD TOWNS)

E-231-A. 20M-10-83-175884

ANNUAL TOWN ELECTION

The results of canvasses are correctly recorded on Total Vote Sheets

____
Presiding Election Officer.

Total Vote ______ Wd. __________ Prec. 1 Ci

(Write titles of offices on this line)

		COMPUTER	HAND COUNT	WRITE-IN		TOTAL		COMPUTER	HAND COUNT		TOTAL								
Block 1,	MODERATOR						LIBRARY TRUSTEE (2)												
" 2,	SMITH						BOOKER												
" 3,	SCATTERING						PAGE												
" 4,	BLANKS						STACK												
" 5,	TOTAL						SCATTERING												
" 6,							BLANKS												
" 7,	SELECTMAN (2)						TOTAL												
" 8,	JONES																		
" 9,	ADAMS																		
" 10,	BAKER																		
" 11,	SCATTERING																		
" 12,	BLANKS																		
" 13,	TOTAL																		
Totals,																			

(Write titles of offices on this line)

		COMPUTER	HAND COUNT	WRITE-IN		TOTAL													
Block 1,	ASSESSOR																		
" 2,																			
WRITE-IN " 3,																			
" 4,																			
" 5,																			
" 6,	BLANKS																		
" 7,	TOTAL																		
" 8,																			
" 9,																			

SAMPLE

WORK SHEET

(PUNCH CARD TOWNS)

ANNUAL TOWN ELECTION: March 25, 1985
Precinct 1

____________________ Election
____________________ Officers

OFFICES AND CANDIDATES	TAPE TOTALS	HAND COUNT	WRITE-IN	TOTALS
MODERATOR				
John L. Smith				
Blanks				
Total				
SELECTMAN (2)				
Frank R. Jones				
William T. Adams				
Alice Baker				
Blanks				
Total				
ASSESSORS (write-in)				
Scattering				
Blanks				
Total				

...

SAMPLE GUMMED LABEL

THE COMMONWEALTH OF MASSACHUSETTS

__TOWN__ **OF**..........[NAME]..........

This certifies that this envelope trunk contains all of the ballots cast, and nothing else in the

....**election held in**

Precinct.......#...............................

Witness our hands and seal this..................

day of......................................**19**.......

____

WARDEN/DEPUTY WARDEN

____

ELECTION CLERK/DEPUTY CLERK

____

____

____

____

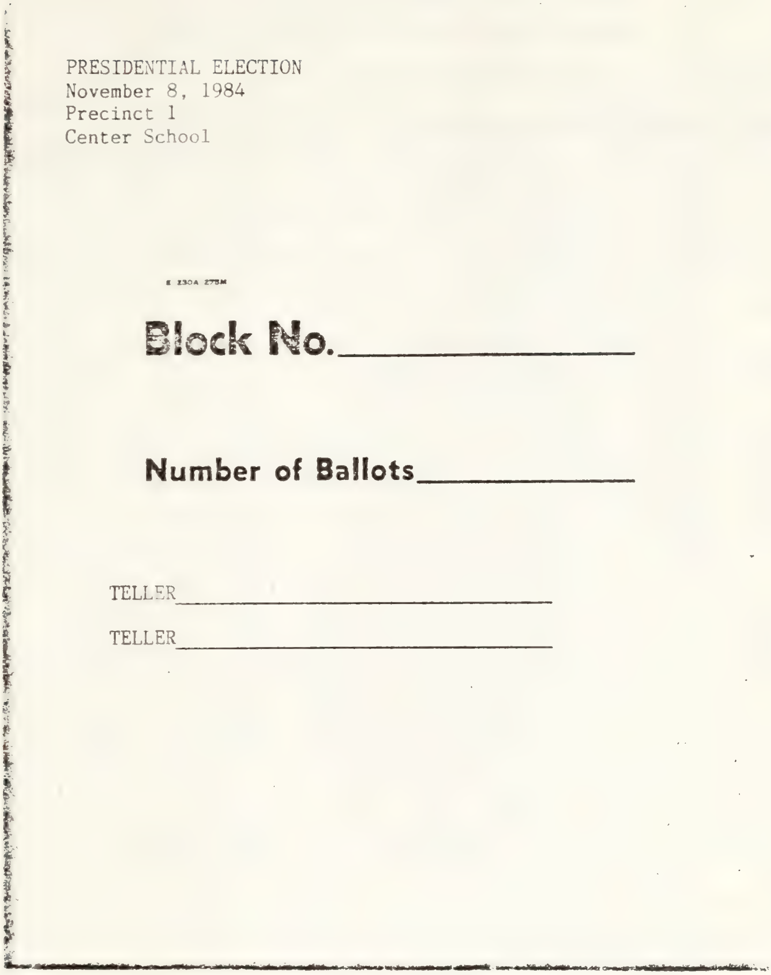
Election Officers, Precinct......#...................

To use this gummed label on an envelope, cross out "trunk" in the first line and "ballots cast" in the second line. The contents of the envelope can be typed in between the lines. Enter the type of election and the date in the appropriate spaces. Enter the name of your town and the precinct number as applicable.

SAMPLE BLOCK ENVELOPE

FORM E 230A

Manila 9 x 16



PRESIDENTIAL ELECTION
November 8, 1984
Precinct 1
Center School

E 230A 275M

Block No. ____________________

Number of Ballots ______________

TELLER ______________________________

TELLER ______________________________

Note: For primaries, add party name or initial.

For spoiled or escrow ballots, WARDEN/DEPUTY WARDEN and CLERK/DEPUTY CLERK may be substituted for TELLER. BLOCK NO. may be crossed out. Add SPOILED BALLOTS or ESCROW BALLOTS at the top of the envelope.

ANNUAL TOWN ELECTION, MARCH 25, 1985

[PRECINCT #]

SPOILED BALLOT ENVELOPE

ENVELOPE
3

Election Clerk/Deputy Clerk________________________

Warden/Deputy Warden________________________

[BALLOT
SERIAL #]

1		26				
2		27				
3		...				
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						

PRECINCT NO.

ANNUAL TOWN ELECTION, MARCH 25, 1985

ENVELOPE

4

WRITE-IN BALLOT ENVELOPE

WARDEN/DEPUTY WARDEN ______________________

CLERK/DEPUTY CLERK ______________________

INSTRUCTIONS FOR TALLYING Tally with indelible pencil, with a downward stroke as illustrated on front cover. The Number of Votes Must Be Written Out In Words	NUMBER OF VOTES RECEIVED BY EACH CANDIDATE															NUMBER OF VOTES In Figures
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7	8	9	10	1	2	3	4	15	
	16	7	8	9	20	1	2	3	4	25	6	7	8	9	30	
votes	31	2	3	4	35	6	7	8	9	40	1	2	3	4	45	
for	46	7	8	9	50	1	2	3	4	55	6	7	8	9	60	
	1	2	3	4	5	6	7									
	16	7	8	9	20	1	2									
votes	31	2	3	4	35	6	7									
	46	7	8	9	50	1	2									

Note: Block tally sheet, Form E-230 should be used to record write-in votes instead of this form.

Note: For primaries, add party name or initial.

[PRECINCT #]

ENVELOPE
NO. 2

OVER-VOTE ENVELOPE

[OFFICE]

1		21					
2		22					
3		...					
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

Note: Type of election, date and spaces for Election Clerk and Warden to sign may be added. For primaries, add party name.

ALTERNATE FORM FOR WRITE-IN OVER-VOTE ENVELOPE

PRECINCT
NUMBER 1

ENVELOPE
NUMBER

If there is a write-in and also a hole punched for the candidate, this is an over vote, (unless more than one can be nominated or elected). In this case, circle the punched hole on the card and write both on card and on gray envelope "OVERVOTE FOR OFFICE OF__________". Number both card and gray envelope, "OV 1-1, OV 1-2, OV 1-3" etc. Indicate below the number and the office overvoted. Place card and gray envelope in the attached large envelope.

Number	Office

. . .

SAMPLE OMITTED VOTERS CERTIFICATES

WARDEN'S CERTIFICATE
G.L. CH. 51, SEC. 59

I, the undersigned, being the Presiding Officer of the polling place hereby certify that ______________________________
(name of voter as registered)
of ____
(street adress)
is a duly registered voter of the Town of [name], is enrolled as ____________________ and is entitled to vote in this
(Dem., Rep., Unenrolled)
election/primary in Precinct #__________.

Proof of residence shown:______________________________

Date__________________ ______________________________
Warden/Deputy Warden

Authorized by:______________________________
(person in registrars' office who authorized warden to issue)

Election Officers: Make a check mark on this certificate. If at a primary, a voter is not enrolled in a party, mark the party initial on this certificate to indicate ballot chosen. Place this certificate in the back of the voting list notebook [attach this certificate to the voting list].

....

WARDEN'S CERTIFICATE
(ALTERNATE FORM)

Date__________________________

Precinct___________

Proof shown______________________________
(The address on proof shown must in THIS PRECINCT)

Name of voter__________________ ______________ ______________
Year of birth Occupation

Present Address______________________________
(this address must be in THIS PRECINCT)

Address voted from last year______________________________

If primary, ballot requested: Democratic_____Republican_____

Authorized by:______________________________
Voter enrolled as Democrat____, Republican____,Unenrolled____.

Warden's Signature______________________________

Voter's Signature______________________________

WARDEN: ATTACH THIS CERTIFICATE TO THE VOTING LIST.

LISTING ERROR CERTIFICATE
G.L. CH. 51. SEC. 59

We, the undersigned, being a majority of the Board of Registrars of the Town of [name], certify that____
(name of voter as registered)

of____
(street address)

is a duly registered voter of the Town of [name], is enrolled as ______________________ and is entitled to vote in this
(Dem., Rep., Unenrolled)
election/primary in Precinct #__________.

Proof of residence shown:____

Date______________________

____
____
____
____
Registrars of Voters

Election Officers: Make a check mark on this certificate. If, at a primary, a voter is not enrolled in a party, mark the party initial on this certificate to indicate ballot chosen. Place this certificate in the back of the voting list notebook [attach this certificate to the voting list].

....

SAMPLE COMBINED CERTIFICATE FOR OMITTED VOTERS
G.L. CH. 51, SEC. 59

The Board of Registrars, having examined their registers, find the following person to be a qualified voter in the Town of [name] and therefore order that he/she be permitted to vote in the election/primary of __________________ in Precinct #_____________.
(date)

NAME____

ADDRESS____

PARTY ENROLLMENT______________________________

____

________________________________ Warden/Deputy Warden

________________________________ Date________________________

____
Board of Registrars

SAMPLE COMMERCIALLY AVAILABLE OMITTED VOTER CERTIFICATE

COMMONWEALTH OF MASSACHUISETTS

CITY OR TOWN OF ______________________________

CERTIFICATION OF NAME OMITTED OR ERROR IN NAME OF VOTER ON VOTING LIST

____________________19___

To the Presiding Election Officer of__________________________________
ward and precinct, city or town

This certifies that the name of______________________________

at__________________________in____
street and number, if any ward and precinct, city or town

enrolled in____________________________Party, has been omitted from the
party enrollment, if any

voting list, or a clerical error has been made in his name or residence.

On presentation to you of this certificate, the person named above shall be allowed to vote. His name shall be checked on this certificate which shall be attached to and considered a part of the voting list, returned and preserved as such.

____
____
____
____
Registrars of Voters

Note: If this form is used and issued at the polls, the warden should also sign it.

SAMPLE FORM FOR RETURNING VOTER'S NAME TO VOTING LIST

TO: BOARD OF REGISTRARS

I hereby make application to have my name returned to the voting list. I am a legal resident of the Town of Midtown and was a legal resident on January 1, 19__. [current year]

On January 1, 19__ I was a voter/legal resident at ______________________
(street and number)

My present voting address is ______________________________________
(street and number)

On January 1, 19__(last year) on was a voter/legal resident

at ______________________________________.
(street and number)

My date of birth is _________________ My occupation is __________________
mo/day/year

I am enrolled as DEM. REP. NOT ENROLLED (circle answer)

Signed under the pains and penalties of perjury

____
(Signature)

____
(Print Name)

____________________________________ Date _________________________
Warden/Deputy Warden
Registrar/Assistant Registrar

Warden: Return this application in the envelope with the voting list.

....

SAMPLE AFFIDAVIT OF CONTINUOUS RESIDENCE

I am currently a legal resident of [name of town] and have continuously been a legal resident here since [date of last ascertained registration].

Signed under the pains and penalties of perjury.

Date ___________________ ____
(voter's signature)

SAMPLE VOTER AUTHORITY CERTIFICATE
G.L. CH. 54, SEC. 31

TOWN OF MIDTOWN

PRECINCT #

VOTER AUTHORTY NO.________________

DATE OF ELECTION OR PRIMARY

Signature
Town Clerk

Note: The town clerk's signature is often added to voter authority certificates, but is not required.

……

SAMPLE VOTER AUTHORITY CERTIFICATE
(ALTERNATE FORM)

TOWN OF MIDTOWN	TOWN OF MIDTOWN
PRECINCT 1	PRECINCT 1
MARCH 25, 1985	MARCH 25, 1985 ANNUAL TOWN ELECTION
VOTING AUTHORITY No. 1201	VOTING AUTHORITY No.1201

……

SAMPLE CERTIFICATE - VOTING MACHINE PROPERLY PREPARED
G.L. Ch. 54, SEC. 35

Date________________ Precinct #_______________

This is to certify that I have examined voting machine number ________________ and that this machine has been properly prepared for the election/primary being held on the above date in precinct _____.

Signature________________________________
Town Clerk/V.M. Custodian

Election Clerk: Record this certificate in the Election Record book. Seal certificate in fibreboard box with official election material. [enclose in envelope with voting list]

SAMPLE CERTIFICATE - COUNTERS NOT ZERO
G.L. CH. 54, SEC. 35

Date______________ Precinct #_______

Candidate counter (# & letter)________

Number registered on counter___________

Question counter number__________

Number registered on counter_________

____
(Election officer - Democratic)

____
(Election officer - Republican)

Election Officers: Complete and sign this certificate in duplicate. Post one copy in a prominent place on the wall.

Election Clerk: Record this certificate in the election record book. Seal duplicate in fibreboard box with official election material. [enclose in envelope with voting list]

……

SAMPLE CERTIFICATE - VOTING MACHINE FAILURE
G.L. CH. 54, SEC. 33B

Voting machine #__________________

Cause of failure to operate:

____

____

____

Repaired by custodian of voting machines and returned to service:

Time______________A.M. P.M.

Placed out of service: Time_________________A.M. P.M.

Number of votes recorded on public counter which should be subtracted due to machine failure______________.

____
Election Officer - Democratic

____
Election Officer - Republican

Election Clerk: Record this certificate in election record book. Seal certificate in fibreboard box with official election material. [return in envelope with voting list]

SAMPLE CERTIFICATE ON VOTING LIST

We, the Registrars of Voters of the Town of [name], do solemnly swear that, according to our best knowledge, the within voting list contains [# of voters] names of those persons who are legal voters of the town in precinct [number].

Registrars of Voters of [name of town]

We certify that this is the actual checklist used at the election held on [date].

Warden

Election Clerk

SAMPLE CORRECTED VOTING LIST

TOWN OF [NAME]   PCT #   DATE

WASHINGTON TERRACE   CONT.

	D	~~54~~	~~STEELE ANTHONY L~~	Reg. Boston
	D	54	STEELE GERTRUDE E	
	D	54	STEELE PATRICIA A	
	~~D~~	61	BLAKE LINDA L	
		61	BLAKE ROBERT P	
		~~60~~	~~MEINHOLD LEE F~~	MOVED TO 56 CENTER ST. SUPP.
		~~60~~	~~MEINHOLD LINDA~~	
		73	HIGGINBOTHAN BARBARA M	
		73	HIGGINBOTHAN JOHN E	
		78	WHITAKER CHARLES E	
	~~D~~R	78	WHITAKER DEBRA L	
	D	89	HOUGHTON BARBARA A	
	D	89	HOUGHTON DAVID A	
	D	89	HOUGHTON ROBERT A	
	D	90	SAMOWSKI DIANA M	
		~~90~~	~~SAMOWSKI JOSEPH M JR~~	d. 3/24/86
	D	102	MURPHY MICHAEL V	
	D	102	MURPHY SUSAN R	
		114	TEEBAGY MARYANNE E	
		117	ELLIS NADINE J	
	R	117	ELLIS RICHARD L	
		126	FALL GREGORY F	
	D	126	FALL JEANNETTE D	
	R	129	ANDERSON CARLE	
AV		129	ANDERSON CYNTHIA	
		129	ANDERSON MICHELE D	
	R	138	WILSON MICHAEL M	
	D	138	WILSON PATRICIA J	
		143	DAWLEY NANCY E	
		143	DAWLEY WILLIAM J	
	D	150	BYRON CONSTANCE	
		150	BYRON LEEANNE E	
		150	BYRON ROBERT S	
AV	D	155	SULLIVAN DOLORES A	
AV	D	155	SULLIVAN JOHN W	
		162	LEE ANDREA A	
	D	162	LEE JEANNE D	
	D	162	LEE MICHAEL P	
		162	LEE PATRICK J	
	D	174	EMANUELE JOAN E	
	D	174	EMANUELE LIBERT J	
		174	EMANUELE LINDA L	
		182	CHASE MARGARET E	
		182	CHASE WILLIAM F JR	
	D	191	BEATRICE KATHLEEN T	
	D	191	BEATRICE RICHARD V	
	D	196	CUNNINGHAM MARTIN J	
SAV	D	196	CUNNINGHAM MARTIN J JR	
	D	196	CUNNINGHAM THERESA A	
	D	204	MOLITO GERARD J	
	D	204	MOLITO NORINE R	
	D	209	~~KOWARSKI~~ CATHERINE G ADAMS	
		219	FLETCHER GUY N	
		219	FLETCHER MARIE G	
		222	QUINN ELLEN J	
**		222	QUINN JOHN P	
		222	QUINN ROBERT	
	D	229	PURCELL FRANCES A	
	D	229	PURCELL LEO J JR	
		236	DAMON ELAINE B	
		236	DAMON JAMES L	
		241	WHITE CHARLES W	
	D	246	HICKEY JACQUELINE M	
	D	246	HICKEY WILLIAM J	
	D	260	PORRAZZO JOSEPH M	
	D	260	PORRAZZO KATHLEEN J	
	D	270	MURPHY ANNA M	
	D	270	MURPHY WILLIAM A	
**		222	QUINN, MARY	

Party enrollment corrected

Absentee voters

Name corrected

Stars and arrow help election officers find added name.

Name added

Note: In some towns, notes to indicate reason name was crossed off are made only on the office master list but not on the list to be used at the polls. However, entering such notes may eliminate some calls to the office on election day.

SAMPLE NOTICE - CHANGE OF ADDRESS

(Registrars' Letterhead)

Date____________________

Voter's name
Voter's new address

This is to acknowledge receipt of your request that you be registered at your new address and to inform you that the requested change has been made.

At the election/primary to be held on ____[date]__________ you will be listed at ____[new address]________ on the voting list in precinct __[#]__

You may vote at that election/primary at the polling place located at

___[name of building, if any, and street address]___.

MIDTOWN BOARD OF REGISTRARS

By:

____
Clerk

SAMPLE NOTICE - CHANGE OF NAME

(Registrars' Letterhead)

Date________________________

Voter's name
Voter's address

The information received by this offices indicates that your name has been changed from____to ____and that you wish to be listed in the census and voter registration records under your new name.

This is to notify you that if you wish to be listed in your new name on the voting list to be used at the elections to be held this year, you should appear in person at the office and re-sign your voter registration affidavit.

The office is open 9 A.M. to 5 P.M. weekdays at the Town Hall and on [give dates and times special registration sessions to be held at town hall, if possible]. If you are unable to appear at any of these times, please call the office to arrange an appointment.

MIDTOWN BOARD OF REGISTRARS

BY:________________________
Clerk

Note: If the name change appears on the annual town census report, it can be assumed that the name was changed before January first. The above notice may be adjusted in the second paragraph to read as follows:

> This is to notify you that if you wish to be listed in your new name on the voting list to be used at the presidential primary held on [date] or at the annual town election held on [date], you should appear in person....

SAMPLE REQUEST FOR CONFIRMATION OF NAME CHANGE

(Registrars' Letterhead)

Date____________________

Voter's name
Voter's address

Information received from the annual town census indicates that your name has been changed from ________________________________ to ____________________________________ and that you wish to be listed in the census and voter registration records under your new name.

The General Laws provide that the Board of Registrars may change a name on the records after June 1st of the year following the year in which the name was changed. However, the law also provides that if a person does not wish to change his name, he may continue to be registered and listed in his former name.

Prior to making a change on the records, we would appreciate your signing the confirmation below and returning it to this office so that we will be certain that our records accurately reflect your wishes in this matter. An envelope has been provided for your convenience.

Thank you for your cooperation.

MIDTOWN BOARD OF REGISRARS

BY:

____
Clerk

This is to confirm that I wish to be registered and listed under the following name:

______________________________ Date_______________
(Signature)

____
(Please Print Name)

SAMPLE NOTICE

NAME OMITTED FROM ANNUAL REGISTER
G.L. Ch. 51, SEC. 37
(June drop notice)

(Registrars' Letterhead)

Date______________________

Voter's name
Voter's address
Midtown, MA 00001

This is to notify you that your name has not been entered on the [year] annual register and will be dropped from the voting list to be used at the election/primary to be held on [date]. The [year] annual town census report indicates that you are no longer a resident of the Town of Midtown.

If you are only temporarily out of town, or if the census information is incorrect, please notify this office as soon as possible so that your name may be returned to the annual register and voting list.

MIDTOWN BOARD OF REGISTRARS

By:______________________
Clerk

Note: This notice must be sent by first class mail with the registrars' return address on the envelope.

SAMPLE NOTICE

VOTER'S NAME TO BE REMOVED FROM ANNUAL REGISTER
G.L. CH. 51, SEC. 38

(Registrars' Letterhead)

Date____________________

Voter's Name
Voter's address
Midtown, MA 00001

This is to notify you that the Board of Registrars intends to remove your name from the Midtown annual register of voters and from the voting list to be used in the election/primary to be held on [date] because the records indicate that you are no longer a resident of the Town of Midtown.

If you have moved only temporarily or if the information we have is not correct, please notify this office as soon as possible so that your name may be retained on the lists.

You are entitled to a hearing before the Board of Registrars. The Board will be meeting on Monday, [date], at 7:30 P.M. for the purpose of hearing persons whose names are being removed from the voting list. If you should wish to discuss this matter with the board, please call the office for an appointment. If the time and date above are inconvenient for you, an appointment on a different day may be arranged.

MIDTOWN BOARD OF REGISTRARS

By:_______________________
Clerk

Note: This notice should be sent by first class mail with the registrars' return address on the envelope.

SAMPLE SUPPLEMENTARY VOTING LIST

MIDTOWN　　PCT 1　　OCTOBER 9, 1984

ALDEN STREET

136 Cobbett, Deborah E.
154 Brunelle, Juanita H.
154 Willis, Den E. Jr.

BLAKE STREET

71 D Kannaly, Carol
71 Shetler, Mary L.

BLUEBERRY PATH

33 Hagerty, Nancy C.

CANDLEWICK LANE

38 R Ahl, Robert J.

RAYNOR AVENUE

190 R Pattangall, James E.
190 R Pattangall, Ruth-Anne

RUSSELL ROAD

41 Carey, Veronica E.

WALLACE AVENUE

17 Ducharme, Scott W.

SAMPLE CARD OF INSTRUCTION

PAPER BALLOTS

PAPER
[illegible]

The Commonwealth of Massachusetts

Michael Joseph Connolly,
Secretary of State

Instructions to voters

Before voting

Give your address and name to an election officer. (In a primary indicate your party choice if not already enrolled in a party.)

If you need assistance because of blindness, physical disability, inability to read or to read English, you may seek help from either a voter of your choice or from two election officers of different political parties.

Enter a voting compartment and unfold your ballot.

You will have ten minutes to vote, but if others are waiting, you have only five minutes.

If you need help from the election officers after you enter the voting compartment, ask for further instruction before voting. You may not re-enter the voting compartment after marking your ballot and leaving the compartment.

To vote for candidates

Mark a cross (X) in the square to the right of the name of each candidate for whom you wish to vote.

Do not over-vote. Vote for only one candidate for each office unless ballot instructions state that you may vote for more than one. However, if you are instructed to vote for two or more candidates for the same office, you may mark a cross (X) to the right of two or more names, up to the number you are allowed to vote for.

Spoiled ballots

If you spoil a ballot, return it to the ballot clerk, who will give you another, but no more than a total of three.

To write-in a vote

If you wish to vote for a person whose name is not on the ballot, write that person's name and address or insert a pre-printed sticker in the blank space following the list of candidates for the office.

To vote on ballot questions

To vote on a question, mark a cross (X) in the square to the right of the word YES or the word NO. **DO NOT MARK YOUR BALLOT IN ANY OTHER WAY. DO NOT ERASE.**

After voting

Before leaving the voting compartment, fold your ballot as it was folded when you received it. Keep it folded until you place it in the ballot box.

Do not show anyone how you have marked your ballot.

Go to the ballot box and give your address and name to one of the ballot box officers. Put your folded ballot in the box with the printed ballot face up and in sight.

Michael Joseph Connolly

Michael Joseph Connolly,
Secretary of State

SAMPLE CARD OF INSTRUCTION

AVM VOTING MACHINES

The Commonwealth of Massachusetts

AVM
E190A 10M 4-80 152678

Instructions to voters using AVM machines

Before voting

Give your address and name to an election officer (In a primary indicate your party choice if not already enrolled in a party)

If you need assistance because of blindness, physical disability, inability to read or to read English, you may seek help from either a voter of your choice or from two election officers of different political parties

Enter the voting machine booth. Pull the RED HANDLE TO THE RIGHT AND **LEAVE IT THERE.** This closes the curtains and prepares the machine for your voting

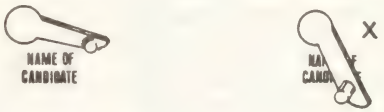
You will have ten minutes to vote; but if others are waiting, you have only five minutes.

DO NOT USE THE RED HANDLE TO OPEN THE CURTAIN UNTIL YOU HAVE FINISHED VOTING. If you need help from the election officers while you are still voting, just push the curtain aside and call for their assistance. Once you open the curtain with the handle, you record any choices you have made and you cannot continue to vote

To vote for candidates

Push the pointer down over the name of each candidate for whom you wish to vote and **LEAVE IT DOWN.**

From this position **to this position** **and leave it down**



To change your vote

To change your vote, move the pointer back up and push another one down. You may do this until you open the curtain to record your vote

To write-in a vote

Write-in slots are at the very top of the machine DO NOT OPEN ANY SLOTS unless you are going to cast a write-in vote. Once you open a slot, you automatically lock all the other pointers for that office; you will no longer be able to vote for any of the listed candidates for that office. To vote for a person whose name is not listed for an office, open a write-in slot with the same number as a number for the office you want to vote for and either affix the pre-printed sticker or write in the person's name and address

To vote on ballot questions

The ballot questions are printed on yellow paper, above the listing of offices and candidates, near the top of the machine. To vote on a question, push the pointer down over the word YES or the word NO below each question.

To record your vote

Check to see if you have pushed down pointers for all the candidates and questions you wish to vote for. **LEAVE THE POINTERS DOWN.** Push the red handle to the left This records your votes and opens the curtain. You may not re-enter the booth after you have recorded your vote and left the booth.

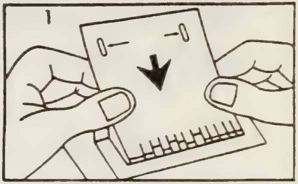
ELECTIONS

Department of the Secretary of the Commonwealth

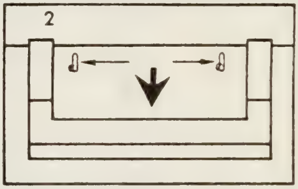
SAMPLE CARD OF INSTRUCTION
PUNCH CARDS
(EXCEPT DATAVOTE)

VOTING INSTRUCTIONS

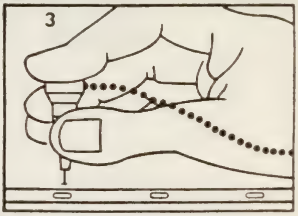
Step 1 **Using both hands,** insert the punchcard all the way into the marking unit.



Step 2 Be sure the two slots in the end of your card fit down **over the two red pins.**



Step 3 To vote, hold the voting instrument **straight up. Punch straight down through** the punchcard for the candidates or issues of your choice. **Do not use pen or pencil.**



Step 4 **Vote appropriate pages.**

Step 5 After voting, remove the punchcard from the marking unit, turn it over and check that the holes have been cleanly punched through.

NOTE: If you make a mistake return your punchcard and obtain another.

Department of the State Secretary
Commonwealth of Massachusetts
1-80-10M

SAMPLE CARD OF INSTRUCTION

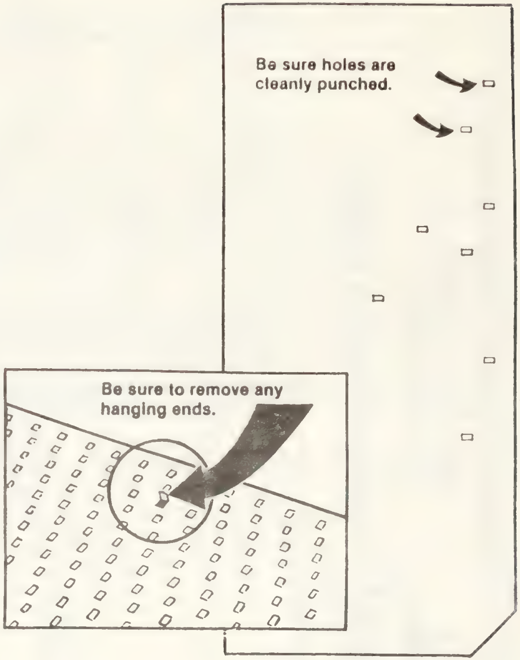
PUNCH CARDS - EXCEPT DATAVOTE

STOP!

- **After voting, turn your punch card over.**
- **Are the holes cleanly punched?**
  Is the card clear of hanging ends?

  If not, your vote may not be counted.
- **Punch the card cleanly and remove hanging ends (see illustrations).**
- **If you cannot do this, return the card and obtain another from the election officer.**

Office of the Massachusetts Secretary of State


Be sure holes are cleanly punched.
Be sure to remove any hanging ends.

Sample — Back of Card

Note: This card is used with the card shown in the sample on the previous page. It may be placed in the voting booth to assist voters.

SAMPLE CARD OF INSTRUCTION

DATAVOTE

DATA VOTE

The Commonwealth of Massachusetts

Michael J. Connolly
Secretary of State

ELECTIONS

Instructions to voters

Before voting

Give your address and name to an election officer. (In a primary indicate your party choice if not enrolled in a party).

If you need assistance because of blindness, physical disability, inability to read or to read English, you may seek help from either a voter of your choice or from two election officers of different political parties.

Enter a voting compartment. Vote only one ballot card at a time. Place the ballot all the way into tray UNDER clear plastic cover from left side of machine. Make sure the ballot card lies completely flat in the tray.

You will have ten minutes to vote, but if others are waiting, you will have only five minutes.

If you need help from the election officers after you enter the compartment, ask for further instruction before voting. You may not re-enter the compartment after punching your punch card and leaving the compartment.

To vote for candidates

The punch card contains arrows showing the proper hole for each candidate. Move the punch lever with its red plastic pointer to the right of the candidate of your choice and completely depress the lever which will punch out the cross +. Repeat the process until you have voted for all candidates or questions of your choice. Vote BOTH sides of the punch card. DO NOT use a pen or pencil for punching holes in the card

Do not over-vote. Vote for only one candidate for each office unless ballot instructions state that you may vote for more than one. However, if you are instructed to vote for two or more candidates for the same office, you may punch a hole to the right of two or more names, up to the number you are allowed to vote for.

Spoiled ballots

If you wish to change your vote after punching a hole, or if you spoil a card or envelope, return it to the ballot clerk who will give you another; but no more than a total of three.

To write-in a vote

If you wish to vote for a person whose name is not listed for an office, use the inside of the gray envelope. Insert a sticker or write the title of the office and the name and address of the candidate of your choice. Do not forget to insert the office title next to the sticker or write-in.

To vote on ballot questions

To vote on a question, punch out the cross + to the right of the word YES or the word NO. DO NOT MARK YOUR PUNCH CARD IN ANY OTHER WAY

After voting

Before you leave the voting compartment, check to see if you have voted for all the candidates and questions you wish to vote for. Then slip the card into the envelope so that the blank side of the card shows through the window and the stub end of the card extends beyond the end of the envelope. Close the envelope so the marking cannot be seen.

DO NOT FOLD OR BEND OR DAMAGE THE PUNCH CARD IN ANY WAY. It must go through a computer.

Do not show anyone how you have marked your card or your envelope. Go to the ballot box and give your address and name to one of the ballot box officers. Bend the stub end of the punch card back and forth and carefully tear it off. Place the punch card still in its envelope in the ballot box with the window side of the envelope up.

Michael J Connolly

Michael J. Connolly
Secretary of State

SAMPLE CARD OF INSTRUCTION

DATAVOTE

VOTING INSTRUCTIONS

1. Slide your ballot card under the clear plastic from the left. (If the card is not all the way in, the punch will not work.)

2. To Vote: Move the punch lever until the red arrow points exactly to the dotted line or arrow beside the candidate of your choice.

   Depress lever to punch out the + on the card. This records your vote.

   Continue this process until you have voted for all the candidates of your choice. BE SURE TO VOTE BOTH SIDES OF YOUR BALLOT.

3. After Voting: Place your ballot card in the gray envelope (with the stub at the top) and take it to the ballot box.

   At the ballot box, tear off the top stub and place it in the proper box.

   Put each ballot (in its envelope) in the ballot box with the open side facing up . . . as the arrow on the envelope shows.

   If you should make an error or damage a ballot, put the card in the privacy envelope and return to the ballot clerk.

Note: This card is used with the card shown in the sample on the previous page. It may be placed in the voting booth to assist voters.

SAMPLE PENALTY CARD

The Commonwealth of Massachusetts

E18b 15M-4-80-152678

Penalties upon voters for election law violations

For tampering with or injuring or attempting to tamper with or injure any voting machine to be used or being used in an election, or preventing or attempting to prevent the correct operation of such machine	A fine of not less than one hundred nor more than five hundred dollars, or imprisonment for not less than one nor more than two and one half years or in the state prison for not less than two and one half nor more than five years, or both
For willfully and without lawful authority hindering, delaying or interfering with, or aiding in hindering, delaying or interfering with a voter while on his way to a primary, caucus or election, while within the guard rail, while marking his ballot or while voting or attempting to vote, or endeavoring to induce a voter, before depositing his ballot, to disclose how he marks or has marked it	A fine of not more than five hundred dollars or imprisonment for not more than one year
For removing a ballot from the space enclosed by the guard rail before the close of the polls	Imprisonment for not more than one year
For willfully voting or attempting to vote in any place knowing that he is not a qualified voter therein; voting or attempting to vote more than once on his own name, his name having been registered more than once; voting or attempting to vote in more than one voting precinct or town, his name having been registered in more than one voting precinct or town; voting or attempting to vote on any name other than his own, or knowingly casting or attempting to cast more than one ballot at one time of balloting; voting or attempting to vote otherwise illegally	Imprisonment for not less than six months nor more than one year
For aiding or abetting a person who is not entitled to vote in voting or attempting to vote, or in voting or attempting to vote under a name other than his own, or in casting or attempting to cast more than one ballot	Imprisonment for not less than six months nor more than one year
For placing any distinguishing mark upon ballot, or making a false statement as to ability to mark ballot or allowing the marking of ballot to be seen by any person for any purpose not authorized by law, or giving a false answer to or making a false oath before a presiding officer	Imprisonment for not more than six months or fine of not more than one hundred dollars
For behaving in a disorderly manner, and, after notice from the presiding officer or director of the count, persisting in such behavior and refusing to withdraw from the polling place or from the central counting place	A fine of not more than one hundred dollars or imprisonment for not more than one month
For willfully disobeying any lawful command of an election, caucus or primary officer	A fine of not more than one hundred dollars or imprisonment for not more than one month
For willfully obstructing the voting	A fine of not more than one hundred dollars
For challenging a qualified voter for purposes of intimidation, or of ascertaining how he voted, or for any other illegal purpose	A fine of not more than one hundred dollars
For refusing or failing to remove any pipe, cigar, cigarette or liquor, or to withdraw from the polling place when so ordered by the presiding officer	A fine of not more than twenty dollars

ELECTIONS

Elections Division
Department of the Secretary of the Commonwealth

SAMPLE CLOTH OR PAPER SEAL

FOR ELECTIONS AND PRIMARIES

MASSACHUSETTS

.... **of** ....

PRECINCT ....

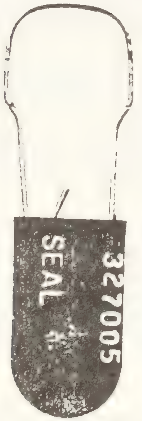
DATE SEALED ....

.... **WARDEN**

.... **CLERK**

FORM 708 PS

SAMPLE GREEN PLASTIC SEAL



To seal -
push wire
down

SAMPLE RECEIPT FOR ELECTION MATERIALS - PAPER BALLOT TOWNS

(Town Clerk Letterhead)

Received from the Town Clerk at ______A.M. at ___[polling place]____ on the date above written:

# official ballots
specimen ballots
cards of instruction
cards containing penalties upon voters
2 Copies of voting lists
    Including # supplementary lists and list of nonregistered specially qualified voters
# ballot box(es) and keys
# copies of questions appearing on ballot [Information for Voters pamphlet for November elections]
Blank forms for Warden's certificates
Blank forms for affidavit of continuous residence [if used]
Oath & forms for escrow and challenged voters [if used]
# absentee ballots, envelopes and applications [if enclosed in box delivered before polls open], list of applicants
Envelopes for sealing the following:
    official ballots cast
    escrow ballots
    spoiled ballots
    tally sheets
    voting lists
    ballot box keys
Tally sheets: block and total vote [write-in, if used]
Cards for voters waiting in line at close of polls
Red pencils [pens] for checking voting list and entering votes on tally sheets
Election Record Book and seals
Boxes and labels for sealing election materials

All of the above having been prepared for the [name of election] to be held on the above date in precinct #____.

Date__________ ____________________________________
Warden/Deputy Warden

WARDEN: Sign this receipt and return to Town Clerk after the election in the envelope with the Tally Sheets. [or, give it to the person who delivered the election supplies.]

Note: For a primary, add party change cards and receipts. Also add number of official and specimen ballots for each party.

SAMPLE RECEIPT FOR ELECTION MATERIALS - VOTING MACHINE TOWNS

Note: In voting machine towns, the receipt would be similar to that shown for paper ballots, except that official ballots would not be included, one copy of the voting list would be included instead of two and the following items would be added:

# voting machines and keys [# for each party, if a primary]
voter authority certificates
# challenged ballots [absentee ballots on which the word "challenged" has been stamped or written] [# for each party, if a primary]
unused absentee ballots to be used for escrow ballots and in case all machines fail [# for each party, if a primary]
Blank certificates for
    Voting machine failure
    Candidate counters not registering 000 before polls open
    Protective Counter or Seal Numbers on machine different from numbers entered on key envelopes

....

SAMPLE RECEIPT FOR ELECTION MATERIALS - PUNCH CARD TOWNS

Note: In punch cards towns, the receipt would be similar to that used in paper ballot towns, except that the following items would be added:

# gray write-in envelopes
special marking units [containing official ballot booklets, except in Datavote towns]
Metal carrying case and keys
Envelopes for sealing the following:
    over-voted, damaged and computer rejected punch cards
    gray write-in envelopes containing write-in votes
    gray write-in envelopes for challenged ballots
    stubs from used punch card ballots (if envelope is used)

SAMPLE LABEL FOR FIBREBOARD BOXES - PAPER BALLOT TOWNS

COUNTED BALLOTS

Town of [name]

Name of Election	Date
Polling Place	Precinct #

This is to certify that only ballots cast by the voters at the above election/primary in precinct # are contained in this box.

____
Warden/Deputy Warden

____
Clerk/Deputy Clerk

WARDEN: Attach this label to fibreboard box cover.
Warden and clerk must sign.

Note: For primaries, if two boxes are used, a label for each box will be needed. Add the party name at the top of the label.

....

SAMPLE LABEL FOR FIBREBOARD BOX - PAPER BALLOT TOWNS

OTHER ELECTION MATERIAL

Town of [name]

Name of election	Date
Polling Place	Precinct #

This is to certify that this box contains the following material used at the election [primary] above named in precinct #.

Unused ballots [unless in a separate box]
Spoiled ballots
Absentee ballot envelopes
Absentee ballot applications
List of applicants for absentee ballots
Sheet showing diposition of absentee ballots
Used cards - voters in line when polls closed
Ballot box keys [unless returned outside box]
Escrow ballots [if # will not affect results]
Rejected absentee ballots [if sent to polls]

____
Warden/Deputy Warden

____
Clerk/Deputy Clerk

SAMPLE LABEL FOR FIBREBOARD BOXES - VOTING MACHINE TOWNS

Town of [name]

Type of Election Date
Polling Place Precinct #

This is to certify that this box contains the following material used at the election [primary] above named in precinct #.

Machine Proof sheets [if printomatic]
Counted machine return sheets [if printomatic]
Write-in paper
Used voter authority certificates
Counted absentee ballots
Absentee ballot envelopes & applications
List of applicants for absentee ballots
Sheet showing disposition of absentee ballots
Voting machine keys and key envelopes [unless returned outside of box]
Ballot box keys [unless returned outside of box]
Counted challenged ballots
Unused challenged ballots
Used cards - voters in line at close of polls
Used certificates of machine failure, certificate that machine was properly prepared, certificate of votes on candidate counter at poll opening
Escrow ballots [if # will not affect results]
Rejected absentee ballots [if sent to polls]
Unused absentee ballots [unless returned separately]

____
Warden/Deputy Warden

____
Clerk/Deputy Clerk

WARDEN: Cross out any item not placed in fibreboard box. Attach this label to fibreboard box. Warden and Clerk must sign.

Note: For primaries, if two boxes are used two labels will be needed. Add the party name at the top of each label.

SAMPLE LABEL FOR METAL CARRYING CASE - PUNCH CARD TOWNS

(FOR TRANSMITTAL TO TOWN CLERK)

Town of [name]

Name of election Date
Polling Place Precinct #

This is to certify that this case contains the following:

Voted punch card ballots
Envelope containing gray write-in envelopes with votes entered
Envelope containing over-voted write-in ballots & envelopes, damaged, & computer rejected punch card ballots
Challenged ballot gray write-in envelopes
Unused punch card ballots [if room]

____
Warden/Deputy Warden

____
Clerk/Deputy Clerk

……

SAMPLE LABEL FOR METAL CARRYING CASE - PUNCH CARD TOWNS

(FOR TRANSMITTAL TO CENTRAL TABULATION CENTER)

Town of [name]

Name of election Date
Polling place Precinct #

This is to certify that this case contains the following:

Voted punch card ballots
Envelope containing gray write-in envelopes with votes entered
Envelope containing write-in over-voted and damaged punch card ballots
Election clerk's report
Write-in tally sheet [unless attached to envelope]
Challenged ballot gray write-in envelopes
Tally sheets [if any ballots are counted in the polling place]
Unused punch card ballots [if room]

____
Warden/Deputy Warden

____
Clerk/Deputy Clerk

Note: In some towns, the key to the metal case is locked inside for transmittal to the central tabulation center. The town clerk uses his duplicate key to open the box at the center.

SAMPLE LABEL FOR FIBREBOARD BOX - PUNCH CARD TOWNS

Town of [name]

Type of Election	Date
Polling Place	Precinct #

This is to certify that this box contains the following material used at the election/primary in precinct #____.

Unused punch card ballots [unless in metal case]
Used gray write-in envelopes (no votes)
Absentee ballot envelopes and applications
List of absentee ballot applicants
Sheet showing disposition of absentee ballots
Spoiled ballots in envelope
Ballot box keys [unless returned outside of box]
Escrow ballots [if # will not affect results]
Used demonstration cards
Punch cards used to test marking units
Stubs from used punch cards [unless returned separately]
Rejected absentee ballots [if sent to polls]

____
Warden/Deputy Warden

____
Clerk/Deputy Clerk

SAMPLE BOUND ELECTION RECORD BOOK

Annual Town Election
Centre School
March 25, 1985

The annual town election was held in the gym at the Centre School on March 25, 1985.

The ballot box was opened and inspected by the Warden and Clerk. It was found to be empty and the number on the register was zero. The side door was locked. The top door was opened for ballots to be deposited. The keys were given to the Police Officer on duty.

All election officers were sworn in at 6:50 AM by the Town Clerk. The Town Clerk opened the polls at 7:00 AM in accordance with the hour stated in the warrant.

At 11:00 A.M. a ballot was jammed in the ballot box. It was released by the warden without opening the box and was redeposited. The ballot box registered one extra ballot because of the problem. After the ballot was redeposited the box register was 984.

At 11:15 A.M. Robert A. Allen came in to vote. His name had already been marked on the voting list at the check in table. The warden looked at the check-out voting list and found that Robert B. Allen's name was marked. The error on the check-in voting list was corrected and Robert A. Allen was permitted to vote.

The following voters were challenged and voted on challenged ballots:

John R Jacobs, 24 Market St. omitted voter, no I.D.
Beverly Phillips 9 Center Rd. omitted voter, no I.D.

The following voter was permitted to mark an escrow ballot:

Albert Smith 14 Carleton St. no record of registratio

The following voters were permitted to vote by certificate:

William Smith, 481 Center Rd
Joyce O'Reilly, 19 Oxford Terrace
Joan Sylvester, 102 Russet Lane

The polls were closed at 8 PM by the Town Clerk. There were no voters in line at 8 PM.

Total ballots received from Town Clerk, including absentee	3,104
Total ballots cast, including absentee	2,854
Absentee ballots cast	104
Unused ballots	247
Spoiled ballots	2
Escrow ballots	1

Ballot box register at close of polls	2855
Adjustment for jammed ballot	− 1
	2854

The number of names marked on the voting lists 2,854

A true record Attest
Alice P. White, Clerk

SAMPLE PRINTED FORM – ELECTION CLERK RECORD

OFFICIAL RECORD **PRECINCT** ______ **TOWN OF** [NAME]

Date ________________ ________________ ELECTION

To the Town Clerk

The undersigned submits the following report of the ____________ ELECTION held this day in Precinct ________.

Polls were opened at __________ A.M. by Warden ________________

Ballot box registered at opening of polls [54:66; Regs. 51.02(11), 52.02(17), 54.02(13)]

Total ballots received from Town Clerk [54:105; Regs. 51.02(11)] [54:105A; Regs. 54.02(8)] [Regs. 52.02(17) absentee ballots]

Polls were closed at __________ P.M.

After all ballots, including absentee ballots, had been cast, the ballot box registered [54:105,105A; Regs. 51.04(3), 52.04(4), 54.04(2)] ____

All ballots cast, including absentee ballots, were counted and the number cast was ________________

All ballots unused were counted and the number unused was [54:105,105A; Regs. 51.04(26), 54.04(5)]

Number of voters' names checked on voting lists [54:105,105A; Regs. 51.04(4), 52.04(3), 54.04(3)]

REMARKS:

Total absentee ballots cast ____________

Total spoiled ballots [54:105,105A; Regs. 51.04(25), 54.04(5)]

____

____

A TRUE RECORD, ATTEST: ________________ Clerk

* * *

RECORD OF ELECTION WORKERS

The following were employed as Warden, Clerk, and Inspectors:

Name	Address	D · R Party	Position
			Warden
			Clerk
			Inspector
			Inspector
			Inspector
			Inspector
			Inspector

We, the above elected and appointed election officers of this precinct, do solemnly swear we will perform the duties of our office faithfully and to the best of our ability, so help me God. [54:20; Regs. 51.02(1), 52.02(1), 54.02(1)]

SUBSCRIBED AND SWORN TO BEFORE ME,

________________ Warden

________________ Clerk

____
date

Adjustments in sample above for voting machine towns:

Delete: Number unused ballots and number of spoiled ballots

Add: Column #, row letter & count registered if candidate counter not 000 before polls open [Regs. 52.02(15)]
Problems with voting machine - voter allowed to use another machine [Regs. 52.03(13)]
Machine failure [54:33B; Regs. 52.03(14)(b)]
Absentee ballots used if all machines fail [Regs. 52.03(14)(d)]
Discrepancies in balance of number of named checked on voting list with number of ballots cast [Regs. 52.04(7)]

SAMPLE ELECTION RECORD

PRINTED FORM

CHALLENGED BALLOT (54:35A, 85) (Regs. 51.03(23)(c), 52.03(19)(c), 54.03(23)(c)

TOWN OF: PRECINCT:

CLERK: ELECTION: [TYPE] [DATE]

THE FOLLOWING IS A CORRECT LIST OF CHALLENGED VOTERS

NAME OF CHALLENGED VOTER	ADDRESS OF CHALLENGED VOTER	NAME OF CHALLENGER	ADDRESS OF CHALLENGER

Note: A column may be added in which to enter the reasons for the challenge.

SAMPLE ELECTION RECORD

PRINTED FORM

OFFICIAL RECORD

ESCROW BALLOT (51:59A)

TOWN OF: **PRECINCT**

CLERK: **ELECTION** [TYPE] [DATE]

The following is a correct tally of Escrow Ballots:

DATE	**NAME OF PERSON VOTING ESCROW**	**ADDRESS OF ESCROW VOTER**

Note: A column may be added in which to enter the reasons the person marked an escrow ballot instead of voting by certificate.

SAMPLE ELECTION RECORD

PRINTED FORM

OFFICIAL RECORD

CERTIFICATE VOTERS (51:59) (Regs. 51.03(5), 52.03(5), 54.03(6))

TOWN OF: PRECINCT:

CLERK: ELECTION: [TYPE] [DATE]

THE FOLLOWING IS A CORRECT LIST OF ALL VOTERS WHO VOTED BY CERTIFICATE

NAME OF VOTER	ADDRESS OF VOTER	PARTY	REMARKS

SAMPLE

PRECINCT CLERK'S REPORT

Date________________ Precinct #_______

The polls opened at________A.M.

The ballot box registered _______ at that time.

Number of ballots received at______A.M..........................__________

Additional ballots received during the day, if any..............__________

A. TOTAL NUMBER OF BALLOTS RECEIVED FOR THIS ELECTION..........__________

B. Number of unused ballots....................................__________

C. Number of ballots used (subtract B from A).................__________

D. Number of spoiled ballots....................................__________

E. Actual number of ballots cast (subtract D from C)...........__________

F. Number of persons voting in this precinct.......__________

G. Number of absentee ballots cast.................__________

H. Ballots box register at close of polls..........__________

Adjustment (plus or minus) of count

due to over-ring, jamming, etc.................__________

Adjusted ballot box register reading...........__________

____
Warden

____
Clerk

Election Clerk: Actual count of ballots must be made. Do not count blocks and multiply by 50 to obtain total number of ballots.

ENCLOSE THIS REPORT IN THE METAL CARRYING CASE WITH VOTED BALLOTS. [if central tabulation center. If ballots counted in precinct, instruction would be to enclose the report in the envelope with tally sheets, or with clerk's record]

Note: If this form used as receipt, add # specimen ballots, # instruction cards, # penalty cards for state elections.

F. above is the same as the number of names marked on the voting list.

SAMPLE PARTY CHANGE CARD
G.L. CH. 53, SEC. 38

Date________

Name____
(Please Print)

Address____

I hereby request that my political party enrollment be changed as follows:

From____
(Name of party or Unenrolled)

To____
(Name of party or Unenrolled)

Signed under the pains and penalties of perjury:

____
(Signature as Registered)

....

SAMPLE NOTICE OF RECEIPT OF PARTY CHANGE CARD
G.L. CH. 53, SEC. 38

Date_______________

Name__________________________
Address_______________________

In accordance with Sec. 38 of Ch. 53 of the General Laws, you are hereby notified that your party enrollment has been changed to

Democrat______ Republican____ Unenrolled____

REGISTRARS OF VOTERS
TOWN OF [NAME]

SAMPLE PARTY CHANGE CARD

WITH POST CARD NOTICE

FRONT

CHANGE OF ENROLLMENT

TOWN OF MIDTOWN

____
Date

Name ______________________________
(Please print)

Address ______________________________

I hereby request that my enrollment be changed to:

Democrat ☐ **Republican** ☐ **Unenrolled** (Ind.) ☐

in accordance with section 38 of chapter 53 of the General Laws.

Signed under the penalties of perjury:

____
(sign name as registered)

Please self-address the bottom half of this card.
It will be mailed to you to acknowledge your request.

- - - - - - - - - - - - - - - - - - - -

Board of Registrars
Town Hall
Midtown, MA 00001

____
____

MIDTOWN, MA 00001

SAMPLE PARTY CHANGE CARD

WITH POST CARD NOTICE

BACK

NOTIFICATION OF ENROLLMENT CHANGE

____
Date

Dear Voter

In accordance with section 38 of chapter 53 of the General Laws, you are hereby notified that, per your request, your enrollment has been changed to
Democrat ☐
Republican ☐
Unenrolled ☐

REGISTRARS OF VOTERS
MIDTOWN, MA

PRINTED
TOWN
SEAL

SAMPLE CERTIFICATE FOR VOTERS IN LINE WHEN POLLS CLOSE

The bearer of this certificate was in line at the time the polls closed and must be permitted to vote, if found qualified.

WARDEN, PRECINCT #

……

SAMPLE OATH AND FORM FOR ESCROW VOTER

Precinct # Date____________

Oath

Do you solemnly swear (or affirm) that you are the identical person whom you represent yourself to be, that you are registered in this precinct [town] and that you have not voted at this election [primary]?

Escrow voter's name____

Address January 1st (current year)____________________________

Address January 1st (last year)______________________________

Was identification shown? Yes______; No______

If yes, enter type of identification: (include I.D. number, address and any other information you think should be recorded)

____

____

____

____
Escrow Voter's signature

____
Warden/Deputy Warden

TO THE WARDEN: Suggest to escrow voter that he contact the town clerk's/registrars' office at town hall sometime after the election/primary to check on his future voting status. Place this signed certificate in the envelope with the escrow ballot for return it to the Town Clerk.

Note: This form may be adjusted and used for challenged voters. The oath for challenged voters is the same as shown above.

SAMPLE PAYROLL SHEET

(All election officers sign one sheet)

Date ____________________ Precinct _______________

We, the undersigned, certify that the following is a record of hours served at the election [primary] on the above date:

(Each election officer sign on the line opposite his title)

Title Signature	Time Started	Time Finished	Hours worked
Warden ________			
Dep. W. ________			
Clerk ________			
Dep. Cl. ________			
Insp. ________			
Dep. Insp. ________			

[Add enough lines for all inspectors and deputy inspectors serving in the precinct]

ELECTION CLERK: Be certain each election officer signs this sheet before leaving.

I have read the above and agree that it is in order:

____

Warden/Deputy Warden

SAMPLE PAYROLL SHEET

(Individual Election Officer)

Date_________ Precinct_________

Signature_________________________

Tel. No_________________________

Hours Worked: (add A.M. & P.M.)

____________ to _______________

____________ to _______________

____________ to _______________

- - - - - - - - - - -

SAMPLE ELECTION OFFICER NAME TAG

MARY P. ADAMS

PRINTED
TOWN WARDEN
SEAL
DEMOCRAT

JOHN R. SMITH

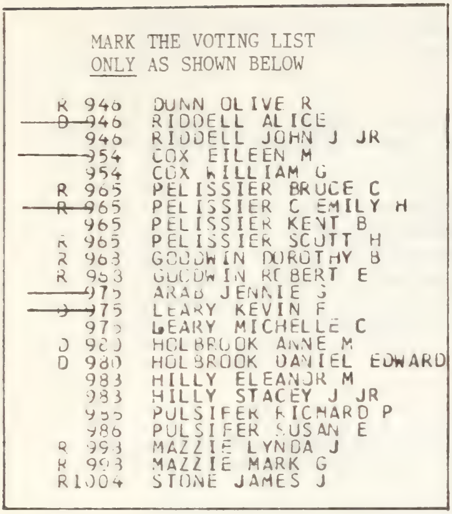
DEPUTY CLERK

REPUBLICAN

Note: For nonpartisan town election, party may be omitted.
For grouped precincts, if some precinct wardens and/or clerks are acting as inspectors, use the term ELECTION OFFICER instead of the title Warden or Clerk to avoid having more than one person working at the election with the same title on the name tag. Voters should be able to tell from the name tag who is in charge.

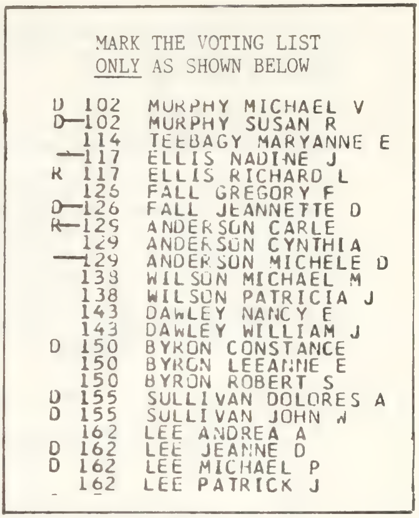
SAMPLE - MARKING VOTING LIST

FOR ELECTIONS



MARK THE VOTING LIST
ONLY AS SHOWN BELOW

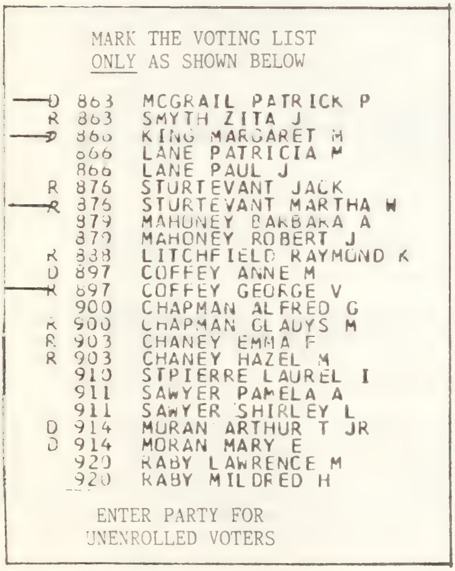
R	946	DUNN OLIVE R
D	946	RIDDELL ALICE
	946	RIDDELL JOHN J JR
	954	COX EILEEN M
	954	COX WILLIAM G
R	965	PELISSIER BRUCE C
R	965	PELISSIER C EMILY H
	965	PELISSIER KENT B
R	965	PELISSIER SCOTT H
R	968	GOODWIN DOROTHY B
R	968	GOODWIN ROBERT E
	975	ARAB JENNIE G
D	975	LEARY KEVIN F
	975	LEARY MICHELLE C
D	980	HOLBROOK ANNE M
D	980	HOLBROOK DANIEL EDWARD
	983	HILLY ELEANOR M
	983	HILLY STACEY J JR
	986	PULSIFER RICHARD P
	986	PULSIFER SUSAN E
R	993	MAZZIE LYNDA J
R	993	MAZZIE MARK G
R	1004	STONE JAMES J



MARK THE VOTING LIST
ONLY AS SHOWN BELOW

D	102	MURPHY MICHAEL V
D	102	MURPHY SUSAN R
	114	TEEBAGY MARYANNE E
	117	ELLIS NADINE J
R	117	ELLIS RICHARD L
	126	FALL GREGORY F
D	126	FALL JEANNETTE D
R	129	ANDERSON CARLE
	129	ANDERSON CYNTHIA
	129	ANDERSON MICHELE D
	138	WILSON MICHAEL M
	138	WILSON PATRICIA J
	143	DAWLEY NANCY E
	143	DAWLEY WILLIAM J
D	150	BYRON CONSTANCE
	150	BYRON LEEANNE E
	150	BYRON ROBERT S
D	155	SULLIVAN DOLORES A
D	155	SULLIVAN JOHN W
	162	LEE ANDREA A
D	162	LEE JEANNE D
D	162	LEE MICHAEL P
	162	LEE PATRICK J

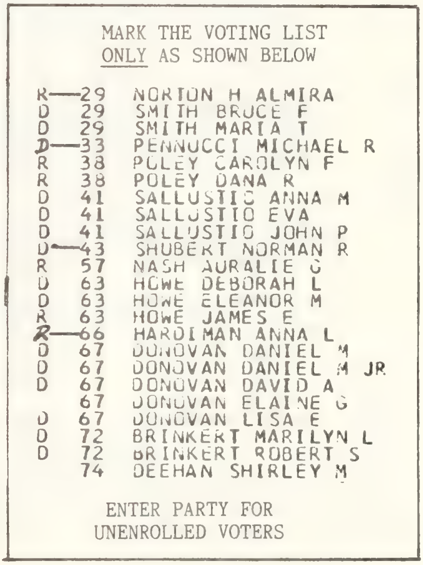
FOR PRIMARIES



MARK THE VOTING LIST
ONLY AS SHOWN BELOW

D	863	MCGRAIL PATRICK P
R	863	SMYTH ZITA J
D	866	KING MARGARET H
	866	LANE PATRICIA M
	866	LANE PAUL J
R	876	STURTEVANT JACK
R	876	STURTEVANT MARTHA W
	879	MAHONEY BARBARA A
	879	MAHONEY ROBERT J
R	888	LITCHFIELD RAYMOND K
D	897	COFFEY ANNE M
R	897	COFFEY GEORGE V
	900	CHAPMAN ALFRED G
R	900	CHAPMAN GLADYS M
R	903	CHANEY EMMA F
R	903	CHANEY HAZEL M
	910	STPIERRE LAUREL I
	911	SAWYER PAMELA A
	911	SAWYER SHIRLEY L
D	914	MORAN ARTHUR T JR
D	914	MORAN MARY E
	920	RABY LAWRENCE M
	920	RABY MILDRED H

ENTER PARTY FOR
UNENROLLED VOTERS



MARK THE VOTING LIST
ONLY AS SHOWN BELOW

R	29	NORTON H ALMIRA
D	29	SMITH BRUCE F
D	29	SMITH MARIA T
D	33	PENNUCCI MICHAEL R
R	38	POLEY CAROLYN F
R	38	POLEY DANA R
D	41	SALLUSTIO ANNA M
D	41	SALLUSTIO EVA
D	41	SALLUSTIO JOHN P
D	43	SHUBERT NORMAN R
R	57	NASH AURALIE G
D	63	HOWE DEBORAH L
D	63	HOWE ELEANOR M
R	63	HOWE JAMES E
R	66	HARDIMAN ANNA L
D	67	DONOVAN DANIEL M
D	67	DONOVAN DANIEL M JR
D	67	DONOVAN DAVID A
	67	DONOVAN ELAINE G
D	67	DONOVAN LISA E
D	72	BRINKERT MARILYN L
D	72	BRINKERT ROBERT S
	74	DEEHAN SHIRLEY M

ENTER PARTY FOR
UNENROLLED VOTERS

Note: In some towns, a check mark or an x is used to mark the voting list instead of a line.

SAMPLE SUMMARY OF PROCEDURES

1. Voter must give name and address. Look for name and address on voting list. When found, repeat loudly and clearly the full name including initials, Jr., Sr, etc.

2. Make a mark opposite the voter's name as shown in the sample taped to the table. Use only the pencil provided. Use the ruler provided.

   Be certain you mark the correct name. If you find the voter's name has already been marked, call the Warden immediately. Do NOT make any comment to the voter such as "you've already voted" or "someone has voted in your name." Tell the voter you think a clerical error has been made and the Warden will have to take care of it.

3. Give voter ballot [voter authority certificate][punch card ballot(s) and gray write-in envelope]

4. If you cannot find a voter's name:

   a. Look at the supplementary lists. At this election there are two supplementary lists, one dated 8/21/84 and the other dated 10/9/84.

   b. Ask voter if address has been changed. If so, ask for previous address and look there. If necessary direct voter to correct precinct. (If precinct is in another location, talk to Warden first)

   c. Ask voter if name has been changed. Ask for previous name and look for that.

   d. If you still cannot find the name, talk to the Warden. The voter MUST obtain a certificate before being checked in to vote. Note: A voter who registered after [date of close of registration] is not eligible to vote in this election [primary].

5. AV or SAV entered on voting list opposite voter's name.

   Do NOT allow this voter to vote unless he presents a certificate signed by the Town Clerk or Assistant Town Clerk.

   If a line has been marked through the AV or SAV, his ballot has already been processed and this voter cannot vote in person.

KEEP CALM AND COURTEOUS. IF YOU HAVE A PROBLEM OR QUESTION, ASK THE WARDEN

NOTE: For primaries, add: If you see D or R on the voting list, the voter must take the ballot of that party. If he claims he is not enrolled in that party, talk to the Warden immediately. If you do not see a party initial next to the name, ask the voter which ballot he wishes. Enter the party initial on the voting list next to his name. Announce the party whose ballot the voter received.

SAMPLE FORM FOR COUNTING NAMES CHECKED ON THE VOTING LIST

PAGE #	VOTED IN PERSON	VOTED ABSENTEE BALLOT	PAGE TOTAL
1			
2			
3			
4			
25			
26			
Certs			
FSP			
TOTAL			

List counted by: Signature ______________; Signature ________________

Note: Opposite "Certs" enter the number of Warden's, Listing Error, and Supplementary Registration certificates for names not included on the voting list. Do not enter certificates for absentee voters to vote in person since their names will already be counted on the voting list. If, however, election officers enter on the voting list, the names of omitted voters who vote by certificate, a line containing "Certs" would not be needed.

Adding absentee voters separately is not required, but may assist in balancing the count with the count of ballots. If counted separately, absentee ballot voters should have their names marked in a color different from that used for in person voters.

Provide two count forms for each voting list notebook. Election officers can then divide the list, each count half, and check the count made by the other election officer.

For primaries: Divide the columns entitled VOTED IN PERSON and VOTED ABSENTEE BALLOT in half so that "D" and "R" can be entered separately.

SAMPLE SIGN IN SHEET

(For election officers at check-in table)

SIGNATURE	TIME ON DUTY	TIME OFF DUTY

SAMPLE CHECK LIST FOR SEALING ELECTION MATERIAL - PAPER BALLOT TOWNS

TO THE WARDEN: Please use this check list to be certain that election materials are sealed in the proper containers for return to the Town Clerk. Attach the label to each box. Warden and clerk must sign each label.

NOTE: IN PRIMARIES, SEPARATE THE MATERIAL BY PARTIES AND SEAL THE MATERIAL IN SEPARATE FIBREBOARD BOXES [If separate boxes for each party are used]

TO BE SEALED IN A FIBREBOARD BOX

Official ballots cast by voters, including absentee and challenged ballots (First seal ballots in block envelopes. In primaries, be sure to seal party ballots in block envelopes having the correct party name.)

TO BE SEALED IN A SEPARATE FIBREBOARD BOX

Spoiled ballots, first sealed in the spoiled ballot block envelope
Unused ballots [unless sealed in separate box]
Absentee ballot envelopes
Applications for absentee ballots
List of applicants for absentee ballots
Sheet showing disposition of absentee ballot
Used cards - voters waiting in line at close of polls, if any.
Ballot box keys [unless returned outside of box]
Rejected absentee ballots [if sent to polls]

TO BE SEALED IN A MANILA ENVELOPE: DO NOT PLACE THESE ENVELOPES IN A BOX

These envelopes are marked to show what should be enclosed.
Warden and clerk must sign certificate on each envelope.

1. Voting list, both copies: include supplementary lists, list of non-registered federal service personnel and all certificates.

2. Tally sheets (except block tally sheets sealed in block envelopes)

3. Election Clerk's Record [If printed sheets rather than bound book]
   Note: In some towns, clerk's record is returned in envelope with tally sheets.

4. Ballot box keys [unless sealed in fibreboard box]

5. Escrow Ballots [if # of ballots may change election results]

MISCELLANEOUS MATERIAL, SUCH AS PENS, PENCILS, RULERS, SCRATCH PADS, ETC. SHOULD BE PLACED IN THE CARDBOARD CARTON FOR RETURN TO THE TOWN CLERK. THIS CARTON DOES NOT NEED TO BE SEALED.

SAMPLE CHECK LIST FOR SEALING MATERIALS - VOTING MACHINE TOWNS

TO THE WARDEN: [same as shown on paper ballot check list]
NOTE: [same as shown on paper ballot check lists]

TO BE SEALED IN FIBREBOARD BOX:

Proof sheet from each machine (sheet you removed before polls opened)
One sheet from each machine pack after it was used to count votes
  [first two items relate only to printomatic machines]
Used voter authority certificates (first seal in block envelope)
Write-in paper from each machine (if removed)
Machine keys (first sealed in grey #7-C envelopes with certificates completed) [unless returned outside of box]
Used #7 envelopes (small manila envelope in which you received keys) [unless returned outside of box]
Ballot box keys [unless returned outside of box]
Counted absentee ballots and challenged ballots (first sealed in block envelopes)
Absentee ballot envelopes and applications
List of applicants for absentee ballots
Sheet showing disposition of absentee ballots
Unused challenged ballots
Completed and signed certificate:
  Machine failure
  Candidates' counters not at 000 before polls opened
  Town Clerk or Custodian's certificate that machines were prepared
  Used cards - voters in line at close of polls, if any.

TO BE SEALED IN MANILA ENVELOPES: DO NOT PLACE THESE ENVELOPES IN A BOX.

The certificate on each envelope shows what is to be enclosed
Warden and Clerk must sign certificate

1. Voting List [Same shown on paper ballot check list, except there will be only one copy of the voting list instead of two.]

2. Tally sheets, including block tally (absentee and challenged ballots), write in tally and total vote sheet.

3. Voting Machine keys [if not sealed in fibreboard box]

4. Election Clerk Record [If printed sheets are used. May be enclosed with tally sheets.]

5. Ballot box keys [if not sealed in fibreboard box]

6. Escrow ballots [if # of ballots may change election results]

DO NOT SEAL ANY OF THESE ENVELOPES IN THE FIBREBOARD BOX. RETURN THEM TO THE TOWN CLERK SEPARATELY. PLACE ALL OTHER ELECTION MATERIAL, SUCH AS PENCILS, PENS, CLIPPERS, SCRATCH PADS, SCOTCH TAPE, ETC. IN THE CARDBOARD CARTON AND RETURN TO TOWN CLERK. THIS CARTON DOES NOT NEED TO BE SEALED.

SAMPLE CHECK LIST FOR SEALING ELECTION MATERIAL - PUNCH CARD TOWNS
(IF A CENTRAL TABULATION CENTER IS USED)

TO THE WARDEN: [Same as shown for paper ballots]
NOTE: [Same as shown for paper ballots]

TO BE SEALED IN METAL BOX:
- Voted punch cards
- Envelope containing challenged ballot gray write-in envelopes
- Envelope containing gray write-in envelopes with votes entered
- Envelope containing over-voted and damaged punch cards ballots
- Election Clerk's report
- Block tally sheets [if any ballots are counted at polling place]
- Unused punch card ballots [if room]

TO BE SEALED IN FIBREBOARD BOX:
- Unused punch card ballots [if not in metal case]
- Used gray write-in envelopes (no write-in votes)
- Absentee ballot envelopes and applications
- List of applicants for absentee ballots
- Sheet showing disposition of absentee ballots
- Envelope containing spoiled ballots
- Ballot box keys [unless returned outside of box]
- Used cards - voter in line at close of polls
- Used demonstration cards
- Punch cards used to test marking units
- Stubs from used punch cards [unless returned separately]

TO BE SEALED IN MANILA ENVELOPE: DO NOT PLACE THESE ENVELOPES IN ANY BOX

The certificate on each envelope shows what is to be enclosed.
Warden and Clerk must sign certificate.

1. Voting Lists (2 copies): [same as for paper ballots]

2. Ballot box keys [if not enclosed in fibreboard box])

3. Escrow ballots [if # of ballots may change election results]

4. Election clerk's record [If record made in addition to clerk's report form]

MISCELLANEOUS MATERIALS, SUCH AS PENS, PENCILS, RULERS, SCRATCH PADS, ETC. SHOULD BE PLACED IN THE CARDBOARD CARTON FOR RETURN TO THE TOWN CLERK. THIS CARTON DOES NOT NEED TO BE SEALED.

NOTE: If ballots are counted in the precinct, adjust the check list as follows:
- To be sealed in metal box: delete election clerk's report and tally sheets
- To be sealed in manila envelopes: add tally sheets and election clerk's report

SAMPLE INFORMATION FOR CANDIDATES' POLL CHECKERS

Your cooperation in complying with the following rules will be appreciated.

1. You are not permitted beyond the check-in tables or in the area in which the booths [voting machines] are located, unless you are in the process of voting. [54:69]

2. You must sit at the table provided and in the seat to which you are assigned [or stand in the area near that table or in the lobby]. Note: In some towns, candidates' poll checkers are assigned specified numbered chairs as determined by drawing lots before the election.

3. You are prohibited from wearing campaign buttons of any variety, displaying campaign literature, logos or any other material tending to influence the voters within 150 feet of the entrance to the polling place. [54:65]

4. You are prohibited from interfering in any way with the voters' free access to the polls and may not stop a voter on his way to the official check-in table. [56:29]

5. The Midtown School Committee at its meeting of [date] voted unanimously to enjoin the use of school telephones for any campaign activity. A public pay phone is available at the Fire Station located across the street from the polls. In case of emergency, contact the school principal in the office at the front of the building. The telephone provided in the polling place is for use of election officers for official business only and cannot be made available to any other persons.

6. You are asked either to bring your own coffee, tea etc. with you, or to obtain refreshments from the table in the lobby. Please do not ask election officers to bring you coffee, etc.

7. The election officers at the check-in table will announce the name and address of each voter as he is checked in to vote. If you cannot hear the announcement, immediately ask the election officer to repeat it. Once the voter has entered the voting area, the election officer cannot repeat the name. Another candidate's worker at the table will usually give you a name you miss.

8. Please refrain from extended conferences or loud discussions at the table. If you need to confer at length with other of your candidate's workers, please move out into the lobby. Extended or loud conversations interfere with the election officers' ability to hear the voters.

The Warden is empowered to enforce the General Laws and these rules and may obtain the asistance of a Police Officer if necessary. Please comply with the Warden's requests. If you have a problem, contact me at [telephone #]

Signature________________________
Town Clerk

SAMPLE MEMO TO CANDIDATES - ACTIVITIES ON ELECTION DAY
(Town Clerk Letterhead)

[Date]

TO: All candidates

RE: Election Day Activities
Annual Town Election, [Date]
Polls Open [Hours], [Location]

The following information is provided to assist you in complying with the General Laws concerning election day activities.

Chapter 54, section 65 of the General Laws prohibits all campaign material in the polling place, in the building where the polling place is located or within 150 feet of the building entrance door. Campaign material includes signs, posters, cards, stickers, circulars, pictures, logos generally associated with a candidate or any other material intended to influence the voters.

On election day, the 150 foot boundary at the Centre School will be marked by red paint on the driveways and by red stakes at both sides of each driveway. Please inform your workers who are going to exhibit campaign signs or posters or hand out literature on election day to stand outside the 150 foot boundary.

In this town, candidates have always been permitted to stand and greet voters on the steps outside the entrance door or in the lobby, provided they have no visible campaign material, including a name tag.

However, a few complaints have been received in recent years from voters who have had some difficulty in getting into the polls because of the number of candidates on the steps or in the lobby. The voters are entitled to free and unobstructed access to the polling place and the General Laws provide penalties of a fine of up to $500 or imprisonment for not more than one year for hindering, delaying or interfering with a voter while on his way to vote. (Ch. 56, s. 29, G.L.)

Please be considerate of the voters. If a number of complaints are received this year, I will have to require that you move outside and away from the steps.

Your cooperation will be greatly appreciated by both election officials and voters. If you have any questions or problems or require further information, please feel free to contact me at my office, [telephone number], or at the polls on election day.

Your Signature
Town Clerk

Note: Information for candidate's poll checkers may be included in the memo if a separate information sheet is not provided. (see sample on page 342)

SAMPLE BALLOT QUESTION FLYER

THERE ARE NOW ALMOST 7,900 VOTERS IN THE TOWN. THERE ARE 5 QUESTIONS ON THE BALLOT. QUESTIONS 1 & 2 ARE PROPOSED AMENDMENTS TO THE MASS. CONSTITUTION. HOW LONG YOU MAY HAVE TO WAIT IN LINE AT THE POLLS WILL DEPEND UPON HOW LONG IT TAKES EACH VOTER TO CAST HIS BALLOT.

PLEASE READ THIS INFORMATION AND DECIDE HOW YOU WISH TO VOTE ON EACH QUESTION BEFORE ELECTION DAY. MARK YOUR ANSWERS ON THE CARD PROVIDED AND BRING IT WITH YOU TO THE POLLS.

QUESTION 1: (Type question title and summary exactly as it appears in the Information to Voters pamphlet provided by the state secretary. Continue until all questions have been included)

(See next page for reverse of flyer and for question appearing only on ballots in certain districts)

REVERSE OF BALLOT QUESTION FLYER

QUESTION 5. "Shall the Secretary of the Commonwealth of Massachusetts inform the President and the Congress of the United States that it is the desire of the people of Massachusetts to have the government of the United States work vigorously to negotiate a mutual nuclear weapons moratorium and reduction, with appropriate verifications, with the Soviet Union and other nations?"

For further information on ballot questions 1 - 4, see Information For Voters pamphlet mailed to each household by the Secretary of State.

STATE ELECTION

November 2, 1982

6 A.M. - 8 P.M.

CENTRE SCHOOL

Parking available behind the Town Hall. Additional park in the church parking lot across Centre Street. Additional copies of this flyer and answer cards available at the Town Clerk's Office, Town Hall, 111-2222.

[Note: fold page in half so that address below is on outside]

Town Clerk
Town Hall
Midtown, MA 00001

Postal Permit

No. 000

ATTENTION REGISTERED VOTERS!
IMPORTANT VOTING INFORMATION

RESIDENT OR
BOXHOLDER
MIDTOWN,MA 00001

SAMPLE ANSWER CARD FOR BALLOT QUESTIONS

STATE ELECTION
NOVEMBER 2, 1982
6 A.M. - 8 P.M.
CENTRE SCHOOL

Q. 1 YES NO
Q. 2 YES NO
Q. 3 YES NO
Q. 4 YES NO
Q. 5 YES NO

MARK YOUR ANSWERS AND
BRING THIS CARD WITH
YOU TO THE POLLS

SAMPLE

THE FOLLOWING SHOWS THE CHANGES IN TEXT OF THE MASSACHUSETTS CONSTITUTION PROPOSED BY BALLOT QUESTIONS. WORDS TO BE DELETED ARE SHOWN IN BRACKETS. WORDS TO BE ADDED ARE UNDERLINED.

QUESTION #.
AMENDMENT ARTICLE 64.

Section 1. The governor, lieutentant-governor,[councillors,] secretary, treasurer and receiver-general, attorney-general, and auditor, [senators and representatives] shall be elected quadrennially and councillors, senators and representatives shall be elected biennially. The terms of the governor, and lieutenant governor [and councillors] shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the [third] fifth year following their election. If the governor elect shall have died before the qualification of the lieutenant-governor elect, the lieutenant-governor elect upon qualification shall become governor. If both the governor elect and the lieutenant-governor elect shall have died both said offices shall be deemed to be vacant and the provisions of Article LV of the Amendments to the Constitution shall apply. The terms of the secretary, treasurer and receiver-general, attorney-general and auditor shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the [third] fifth year following their election and until their successors are chosen and qualified. The terms of the councillors shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the third year following their election. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified.

[Section 2. No person shall be eligible to election to the office of treasurer and receiver-general for more than three successive terms.]

Section [3] 2. The general court shall assemble every year on the first Wednesday in January.

Section [4] 3. The first election to which this article shall apply shall be held on the Tuesday next after the first Monday in November in the year [nineteen hundred and twenty] nineteen hundred and sixty-six, and thereafter elections for the choice of [all the officers before-mentioned] a governor, lieutenant governor, secretary, treasurer and receiver-general, attorney-general, and auditor shall be held quadrennially on the Tuesday next after the first Monday in November and the elections for the choice of councillors, senators and representatives shall be held biennially on the Tuesday next after the first Monday in November.

Note: Type the text in large letters. Type the text for other questions proposing an amendment to the constitution in the same format. For questions related to adopting or repealing laws, the text of the law can be typed with an appropriate explanation above each question number.

SAMPLE INFORMATION FOR WRITE-IN CANDIDATES

Voting by write-in for a candidate whose name does not appear on the ballots is permitted at all primaries and elections and for any office regardless of whether or not candidates' names are printed under the office. The procedures for voting by write-in are as follows:

PAPER BALLOT

Blank spaces are provided on the ballot under each office. A write-in vote may be cast by writing the name and address of the candidate in one of the blank spaces. An X is not required, but may entered in the square to the right of the name.

PUNCH CARDS

Each voter is provided with a gray write-in envelope when he receives his punch card ballot. Voters who wish to vote by write-in should open the flap of the envelope. A write-in vote may be cast by writing the office title in the first column and the candidate's name and address in the second column.

VOTING MACHINES

Numbered slots for write-in voting appear at the top of the machine above the office and candidate labels. A write-in vote may be cast by pushing up the slot cover having the same number as appears on the machine ballot label above the office title. The candidate's name and address should be written on the rectangle of paper revealed when the slot is pushed up. A pencil is provided in each machine. To vote for [office title] by write-in push up slot [#].

It is suggested that you include in any campaign literature you provide to voters your name as registered, your voting address and the slot number to be used.

STICKERS

You are entitled under the General Laws to prepare gummed or self-stick labels containing your name and address for the use of voters. These stickers may be commercially printed. Self-stick labels adhere to the ballots [voting machine write-in paper] [write-in envelope] must better than gummed labels, particularly if the weather is damp or rainy.

For paper ballots

The stickers should be not more than 5/16" wide nor more than 4" long to fit in the write-in sapce on the ballot although the law permits a sticker to be 1/2" wude and 4 1/4" long. Your name should be printed as you are registered, in capital letters not less than 1/2" nor more than 1/4" high. Be sure to include your address on the sticker. A printed X may be included, but is not necessary.

For punch cards

[The requirements for the type in which candidate's name is printed are the same as for paper ballots and address should be included.] The sticker should be not more than 1/2" wide and not more than 2 3/4" long if the office title is included or 2" long if the office title is not included. The vote cannot be counted unless the office title is either included on the sticker or written in by the voter.

For voting machines

[The requirements for the type in which candidate's name is printed are the same as for paper ballots and should include address.] The sticker should not be more than ["] wide nor more than ["] long. [Give dimensions of the write-in slots on the machines you use]

[Note: Some town clerks request that candidates not use stickers since they may jam the machines. However, you cannot prohibit a candidate from using stickers.]

COUNTING WRITE-IN VOTES

The General Laws related to write-in votes indicate that the name of the person for whom the vote is cast should be written as he is registered and his voting address should be given. However, "a mistake in stating the address of such person shall not invalidate a vote if the address stated is sufficient to indicate the vote for whom the person was intended".

Clearly, those write-in votes which give the name as registered and the correct or substantially correct address should be counted. Whether or not to count those write-in votes which deviate from the name as registered or in which the address is incorrect or omitted, will be decided by the election officers counting the votes on a case by case basis. The cardinal rule for the guidance of election officers is that if the intent of the vote can be determined with reasonable certainty, the vote should be counted.

In general, courts have ruled that where the address has been omitted, the write-in vote should be counted, particularly if the write-in candidate is the only person in town by that name. Courts have ruled that the surname along is not sufficient to determine the intent of the voter, unless it is accompanied by the title of an office presently held by the person.

NUMBER OF VOTES NEEDED TO NOMINATE OR ELECT

To be nominated in a primary, you will need the number of votes equal to the number of certified signatures required on nomination papers. In this primary, you will need # votes.

In an election, there is no specified number of votes required to elect. If one person is to be elected, you will need at least one more vote than than any other candidate. If two are to be elected, you will need at least one more vote than all but one other candidate.

If you have any questions, or would like additional information, please call the town clerk's office at [tel. no]

SAMPLE NEWS RELEASE

Town Clerk's Office
Name of town
Date

For release: immediately [or date]

Absentee Ballots for [primary/election]

Absentee ballots for the [primary/election] will be available by about [date] at the town clerk's office. To be eligible for an absentee ballot, a voter must be unable to vote in person on election day because he is out of town, physically disabled, or his religious beliefs prevent him from voting at the polls.

Application for an absentee ballot should be made as soon as possible to allow time for mailing. Application may be made on an official form available at the town clerk's office, or by sending a letter requesting a ballot. The voter should include his name, voting address, the address to which the ballot should be sent and his signature as registered. An application may be made by more than one voter in the same letter, provided each voter signs his own name.

Voters may vote by absentee ballot at the town clerk's office instead of having a ballot mailed.

Special provisions apply to military personnel and to residents who are out of state.

The deadline for making application is [time and date].

For futher information on absentee ballots or voting, call the town clerk's office at [tel. no.]

Note: A short press release is more likely to be printed as submitted. Many newspapers request that news releases be typed double spaced and contain the headings shown above. Check with your local newspaper editor or reporter for the format he prefers.

SAMPLE FORM FOR RECORDING VOTES

(To be used by observers)

ELECTION RESULTS [ELECTION/PRIMARY-DATE] TOTAL # VOTERS ____________

TOTAL BALLOTS CAST ________

	VOTES CAST				
CANDIDATES	PCT 1	PCT 2	PCT 3	PCT 4	TOTAL
MODERATOR Name					
Name					
Name					
Blanks					
Total					
SELECTMAN - vote 2 Name					
Name					
Name					
Name					
Blanks					
Total					
ASSESSOR - write-in					
Blanks					
Total					

• • •

SAMPLE WARDEN'S INSTRUCTIONS

TO THE WARDEN

BE CERTAIN THAT

1. ALL ELECTION OFFICERS ARE SWORN IN BEFORE THE POLLS OPEN
2. INSTRUCTION AND PENALTY CARDS AND SPECIMEN BALLOTS ARE POSTED
3. BALLOT BOX HAS BEEN INSPECTED, IT IS EMPTY AND REGISTER IS AT 0000
4. YOU DO NOT REFUSE TO LET A PERSON VOTE - CALL THE OFFICE FIRST.

TELEPHONE NUMBERS

FOR VOTER CERTIFICATES, PROBLEMS & QUESTIONS: [tel.no.]

FOR VOTING MACHINE PROBLEMS: FRANK FIXIT 6 A.M.- 1 P.M. [tel.no.]
MARY MECHANIC 1 P.M. - END [tel.no.]

REMIND ELECTIONS OFFICERS

1. THIS IS A PRIMARY - THEY MUST ANNOUNCE NAME, ADDRESS AND PARTY; ENTER PARTY INITIAL ON VOTING LIST FOR ALL UNENROLLED VOTERS; CALL YOU IF VOTER SAYS HE IS NOT IN PARTY SHOWN ON VOTING LIST

2. VOTER WITH AV OR SAV NEXT TO NAME CANNOT VOTE WITHOUT CERTIFICATE

3. CALL YOU IF VOTER'S NAME CANNOT BE FOUND OR IF HE NEEDS ASSISTANCE

PROCEDURE FOR OMITTED VOTER CERTIFICATES [include here a summary of procedure warden is to follow before issuing certificates]

REMEMBER: IF YOU CANNOT ISSUE A CERTIFICATE TO PERMIT AN OMITTED PERSON TO VOTE, OFFER HIM AN ESCROW BALLOT AND EXPLAIN THE PROCEDURES BEFORE SUGGESTING HE GO TO THE TOWN CLERK'S/REGISTRARS' OFFICE.

TONIGHT - WHEN SEALING MATERIAL FOR RETURN TO THE TOWN CLERK, PLEASE USE THE CHECK LIST PROVIDED TO BE SURE EACH ITEM IS SEALED IN THE CORRECT BOX OR ENVELOPE.

BE SURE LABELS ARE ATTACHED TO BOXES AND ARE SIGNED.

BE SURE BOXES AND ENVELOPES ARE SEALED.

SAMPLE CHECK LIST FOR PACKING FIBREBOARD BOXES

(Official paper ballots or punch card ballots packed separately)

Check list for sealing materials on election night
Extra seals
Labels for fibreboard boxes
Envelopes for sealing
   tally sheets
   voting list
   counted paper ballots
   absentee ballot envelopes
   voter authority certificates [voting machine towns]
   gray write-in envelopes containing votes [punch card towns]
   write-in over-vote ballots [punch card towns]
   challenged ballot gray write-in envelopes [punch card towns]
   escrow ballots
   spoiled ballots [not needed in voting machine towns]
   extra block envelopes
Forms for observers to record votes [if used]
Tally Sheets
   block tally
   total vote sheet
   write-in tally [punch card and voting machine towns]
   over-vote/rejected tally [punch card towns]
Certificates (in envelope)
   Warden's certificate
   affidavit of continuous residence [if used]
   form for returning name to voting list [if used]
   voting machine failure [voting machine towns]
   machine seal or protective counters not 000 [voting machine towns]
   counters not 000 before polls open [voting machine towns]
Challenged ballots [voting machine towns]
Extra absentee ballots in case machines fail [voting machine towns]
Cards (certificates) for voters waiting in line
Extra official ballot booklets [punch card towns]
Repair kit [punch card towns](pliers, screw driver, sealing wire)
Extra frames (complete) [punch card towns]
Spare light bulbs for marking units [punch card towns]
Election clerk record book [or forms]
Ballot box keys
Machine keys in #7 envelope [voting machine towns, unless sent outside of box] [machine seals, if #7 package not used]
Spindles or other receptacles [voting machine towns, unless already at polls]
Voter authority certificates [voting machine towns]
Red pencils [or pens]
Black pencils, pencil sharpener
Scotch tape, elastics, paper clips, stapler, thumb tacks, rubber fingers
Scratch pads
Stamp pad ink [unless ballot box wheel already inked]

Penknives, clippers or heavy duty scissors [voting machine towns]
Letter opener
Rulers for marking voting lists
Election officer handbooks
Specimen ballots [unless packed with official ballots or already posted]
Cards of instruction [unless packed with ballots or already posted]
Penalty cards [unless packed with ballots or already posted]
   [extra specimen ballots, instruction and penalty cards may be included in fibreboard box]
Signs [unless already posted]
Masking tape for posting signs, precinct maps and indexes, etc.
Current list of dropped voters [if sent to polls]
List of absentee ballot applicants
Absentee ballots with their applications [received before election day]
Absentee ballot disposition sheet [unless kept in office until last mail]
Party change cards and receipts [primaries only]
Information For Voters Pamphlets [November elections only] [unless already at polls]
Attendance sheet [time sheets] for election officers
Sheets showing duties of election officers, police officers, etc.
Election officers' schedule
Name tags
Demonstrator cards and envelopes [punch card towns]
Gray write-in envelopes [punch card towns]
Voting list [2 copies, paper ballot and punch card towns] [An extra complete voting list (all precincts) for the warden, if sent to polls]
Copy of warrant and return of service
Warden's instructions
Telephone [if needed]
Receipt for election materials - to be signed by warden

5
ABSENTEE BALLOTS

I. GENERAL

NOTES

Absentee ballots must be made available at all state primaries and elections and presidential primaries [54:86] and at all city and town primaries, preliminaries and elections. [54:103A] In the following, the term "election" will include preliminaries and primaries unless otherwise indicated in the text.

II. WHO MAY VOTE BY ABSENTEE BALLOT

To be eligible to vote by absentee ballot, an individual must be unable to vote in person at the polling place on election day, must make a written signed application, and must be included in one of the categories listed below.

A. REGISTERED VOTERS [54:86; 1985:562,599]

- absent from the town during the hours the polls are open. His absence may be caused by reason of being a specially qualified voter as defined in 54:103B, his employment in another community, attendance at an institution of higher education, or for any other reasons, OR
- physically disabled, either temporarily or permanently, OR
- with religious beliefs which prevent him from voting at the polling place, OR
- in prison. A prisoner is entitled to an absentee ballot whether he is in an institution within or outside of town.

B. SPECIALLY QUALIFIED VOTERS [54:103B; 1985:477]

The following are included under the definition of specially qualified voters and are entitled to vote by absentee ballot even if they have not registered to vote in your town, PROVIDED they are United States citizens whose last residence prior to leaving the United States was, or whose present residence is, your town and they have all the qualifications for registering to vote in your town.

- on active duty in the armed forces or merchant marine, or a spouse or dependent of such a person, and absent from the town (even if the serviceman has not lived in your town since entering the service). He may be within or outside of Massachusetts and the spouse or dependent does not need to be accompanying him.

  Example: A serviceman may be stationed in Massachusetts, elsewhere in the United States or overseas and his wife may be visiting relatives in Worcester. Both are entitled to an absentee ballot.

- others who are absent from Massachusetts

- prisoners regardless of where they are confined. They may be in a correctional institution or jail located within your town or elsewhere. (see 1984:39)

  Note: A nonregistered specially qualified voter may apply for and receive an absentee ballot even though he is not yet 18 years old at the time he makes application, provided his 18th birthday is not later than the day following the election for which he is applying. [54:103N] Also, cadets in the military, air force and naval academies are considered on active duty in the service. [Op. AG 9/13/66, p.72]

C. PENALTIES [56:27]

The penalty on whoever is not entitled to vote under the laws relative to absent voting, votes or attempts to vote or on whoever is entitled to vote under such laws knowingly votes or attempts to vote in violation thereof, is a fine of not more than $500.00 or imprisonment for not more than 1 year.

III. APPLICATION FOR ABSENTEE BALLOT

A voter cannot receive an absentee ballot until after a written, signed application has been filed in the town clerk's office and has been certified by the board of registrars. [54:89; 1985:562] (see Exception under IV. PROCESSING APPLICATIONS on page 362)

Note: If your town has an election commission, the application must be filed with and certified by that commission.

A. FORMS [53:34A(b); 54:87(b),103A]

- official forms (see sample forms AV2, SAV2 and PAV2 on pages 442-444)

The form to be used for application for an absentee ballot is prescribed by the state secretary. These forms are prepared and supplied to town clerks by the state secretary for all state primaries and elections and presidential primaries. [54:34A(b); 54:87(b),88,103E,103D] They must be prepared and supplied by the town clerk for all town elections. [54:103A, 103D] However, if you have a supply of state forms left over from a state election, these may be used as your official form for town elections.

There are three separate official forms, AV2 for use by a registered voter or a nonregistered specially qualified voter making his own application, PAV2 for use by a prisoner making his own application, and SAV2 for use by a relative applying for a specially qualified voter or by a parent applying for a registered voter attending an institution of higher education or registered specially qualified voter.

- post card (see sample post card application, Federal Standard Form 76 on pages 445-446)

The federal government has prepared the Post Card Registration and Absentee Ballot Request Form and has made these available to persons in the armed forces and others. These are usually used for state and federal elections and primaries but they may be used at any election.

- other forms (see sample on page 447)

In addition, an application may be any form of written communication evidencing a desire for an absentee ballot. [53:34A(b); 54:87(b),103D]

B. DEADLINE FOR FILING APPLICATION [54:89]

The application for an absentee ballot must be received by the town clerk or registrars of voters before noon of the day before the election for which the ballot is requested. If the day before an election is a Sunday or legal holiday, the application must be received before 5 P.M. on the last previous day on which the office is open to the public. For example, if your annual town election is held on a Monday and your office is regularly closed to the public on Saturday, the deadline for filing an application is 5 P.M. on the previous Friday and applicants must be allowed to file their applications up to that hour.

C. DISTRIBUTING AND RECEIVING APPLICATION FORMS [54:89]

Blank application forms may be distributed over the counter or mailed to anyone requesting them, including the voter, a relative or friend of the voter, or to anyone who requests a supply for distribution. Also, completed and signed application forms may be returned to your office over the counter or by mail by anyone.

Exception: Kindred application forms for nonregistered specially qualified voters should not be given out or mailed since these must be completed and signed in person by the relative at the town clerk's office. (see IV. D. KINDRED APPLICATIONS on page 394)

D. SEPARATE APPLICATION FOR EACH ELECTION

A separate completed and signed application is required for each election. For example, voters sometimes request an absentee ballot for both a primary and the following election on one form or in one letter, particularly if the federal post card application form is being used. Under these circumstances, the application can be accepted and processed for the primary. The voter should be notified that he will have to apply separately for a ballot for the general election and an official application form may be enclosed with the notice.

Prior to enclosing the application, some town clerks enter the appropriate information on the form and indicate with a red check mark where the voter is to sign. However, this is not required by the General Laws.

It is suggested that you make a copy of the original application and place the copy in the file for the subsequent election. If you do not receive the separate application for the subsequent election in time to process it and get a ballot to the voter, a ballot may be mailed using the copy of the application already received rather than disenfranchising the voter. Ordinarily this procedure would not be needed except for applications received before a primary for both the primary and the subsequent election.

E. ONE APPLICATION FOR MORE THAN ONE VOTER

Two or more voters may apply for an absentee ballot in the same request, provided each voter signs his own name.

F. PHYSICALLY DISABLED APPLICANTS [54:86,89]

1. Temporarily Disabled [54:86; 1985:477,562]

An applicant who is temporarily disabled must complete and sign an application the same as other voters. The requirement that he sign under the penalties of perjury a statement attesting to his temporary physical disability was deleted from 54:86 by 1985:477 and 562.

2. Permanently Disabled [54:86; 1985:383]

A voter who is permanently physically disabled may file with the town clerk a certificate executed by a registered physician who is personally acquainted with the voter and aware of his permanent physical disability. The certificate must state that it is reasonably certain because of permanent physical disability that the voter will be unable to cast his vote at the polling place on election day. (see sample certificate on page 448)

Certificates of permanent disability are not included in the state retention schedule. However, it is suggested that such certificates be kept in an active file until the voter's name has been removed from the voting list. At that time, the certificate may be placed in an inactive file and kept until permission for disposal has been received from the state supervisor of public records.

The town clerk must prepare and maintain a list of the names and addresses of voters who have filed a certificate of permanent disability. The list of such voters should be updated each year to add the names of voters on new certificates received and to delete the names of voters who have died or been removed from the voting list.

Once a voter has filed a certificate of permanent disability he does not thereafter need to file any such certification with his application. However, he must make an application for an absentee ballot prior to each election in which he wishes to vote.

Not later than 28 days before every primary and election, the town clerk must send to each voter whose name appears on the permanently disabled voters' list, an application form completed, so far as possible, except for the voter's signature. (see 1985:383) It is helpful to the voter if you make a red check mark next to the line on which the voter must sign. For a primary, for voters enrolled in a party, also check the box in red indicating the appropriate party. For unenrolled voters, draw an arrow next to the line in which the party is to be indicated to help ensure that the voter completes this part of the application. A form letter with instructions may be enclosed with the application. (see sample form letter on page 449)

3. Voters in Health Care Facilities [54:89(a),(c); 1985:562]

Special provisions for providing absentee ballots apply to voters in health care facilities. The specific procedures to be used will depend upon whether or not the facility has been designated for the purpose of supervised voting, or if not so designated, the date on which a voter was admitted to the facility. (see VI. BALLOTS, D. PREPARING/DELIVERING BALLOTS TO HEALTH CARE FACILITY on page 415) However, each voter must complete and file an application for an absentee ballot prior to each election in which he wishes to vote. Note that some voters in long term health care facilities will probably have filed a certificate of permanent disability and in that case, an application must be completed and sent to the voter by the town clerk as outlined in 2. above.

In some towns, a supply of blank application forms is regularly provided to health care facility administrators or to the activities directors. It is suggested that information on voting by absentee ballot also be provided. Brochures on absentee voting, including information on voting in health care facilities and for the elderly and handicapped are available from the Elections Division and may be used for this purpose or you may prepare such information. (see sample information on pages 450-452)

G. BALLOTS TO BE MAILED [54:89(b); 1985:562]

If the applicant requests that a ballot be mailed, it must be mailed directly to the voter and to no other person. A ballot may be mailed to any address designated by a registered voter either within or outside your town. (see IV. C. NONREGISTERED SPECIALLY QUALIFIED VOTERS on page 389) If the ballot is to be mailed, under no circumstances may it be hand carried out of your office except by you or one of your employees delivering ballots to the post office for mailing.

Note: Ballots cannot be mailed to voters in designated health care facilities [54:89(b)] and may be hand delivered to certain voters in any health care facility. [54:89(c), 92(d)] (see VI. BALLOTS, D. PREPARING/DELIVERING BALLOTS TO HEALTH CARE FACILITY on page 415)

H. BALLOTS TO BE VOTED IN PERSON AT TOWN CLERK'S OFFICE [54:89(b),91,92(b); 1985:113]

A registered voter, unable to vote at the polling place, may vote by absentee ballot at the town clerk's office instead of requesting that a ballot be mailed. [54:89(b)] If the voter is not physically disabled, he must vote prior to the time the polls open on election day. If, however, he is physically disabled, he may vote in the office at any time before the polls close on election day.

In many cases, these applicants will be leaving town shortly before the election or will be travelling and not have an address to which the ballot may be mailed or will be voters who are able to get to the town clerk's office, but unable to vote at the polls due to age, frailty, or other disability. However, a registered voter unable to vote at the polling place for any other reason specified in 54:86, may also use this method if he wishes instead of having his ballot mailed even if he has an address to which the ballot could be mailed and from which it could be returned in time to be counted.

Usually these voters will appear at the office to make out their applications and form AV2 will be used. However, applications may be made by any form of written communication, letter or memo and may be mailed to your office or delivered by someone other than the voter. In this case, the application should include the information that the voter will appear at the office to vote. He may request that you inform him of the time he should appear, or he may appear during any regular office hours without a specific appointment.

If the voter so requests and absentee ballots are available, and if he is found qualified, he must be permitted to make an application and vote during the same visit. [54:91; 1985:113] (see IV. Exception on page 362 and 4. a. certification on page 380)

Under no circumstances should a voter voting by absentee ballot in the office be permitted to remove his ballot from the town clerk's office. [54:92(b)]

I. PENALTIES [56:21,27A]

The penalty on any town officer trusted with the execution of the laws relative to absent voting who willfully violates any provision thereof is a fine of not more than $100.00. [56:21]

The penalty on whoever knowingly and willfully delivers an absent voter ballot to a voter or other person in any other manner than is provided in 54:89 is a fine of not more than $500.00. [56:27A]

J. PUBLIC RECORDS

The state supervisor of public records has determined that all applications for absentee ballots on file in the town clerk's office before an election are public records, except that part of an application relating to physical disability. [SPR84/118] Note that while the supervisor has not specifically ruled on the certificates of permanent disability, these certificates would not be a public record.

The former state supervisor of public records has determined that absentee ballot envelopes, and by implication, the applications, are exempt from disclosure after the ballots have been counted on election night. [SPR1003] Note, however, that applications may be examined as required by law during a recount or by order of a court, for example. (For procedures related to examination and copies of records, see Public Records Access Regulations 950 CMR 32.00 and Town Clerks Manual, Volume 2, Chapter 3, I. FILING, RECORDING AND INDEXING.)

IV. PROCESSING APPLICATIONS

When an application is received by the town clerk, it shall be transmitted to the registrars who must examine it. If they believe the signature on the application is genuine and that of a registered voter or the parent of a registered voter who is a specially qualified voter as defined in 54:103B or in an institution of higher education [54:91; 1985:599], the registrars must execute the certificate on the application and return it to the town clerk. The registrars must likewise execute the certificate and return the application to the town clerk if they believe the signature on an application is genuine and that of a registered or nonregistered specially qualified voter as defined in 54:103B or a person who is kindred of such a voter. [54:103D, 103J]

Exception: If the person asks to apply for and vote by absentee ballot in the office during the same visit and he is found to be qualified, the application should be certified by the town clerk, a registrar or an assistant registrar. In this case, a majority of the registrars do not need to sign the certificate on the application. [54:91; 1985: 113]

The General Laws do not specify the method by which the eligibility of the applicant for an absentee ballot is to be determined, but all possible records should be searched before concluding that an application cannot be certified.

In some towns, the registrars themselves examine applications and each member personally signs the certificate. In other towns, the town clerk examines the applications and uses the board's signature stamp on the certificate. In this case, the registrars should formally vote to authorize the town clerk to examine applications and, unless there is a question as to the eligibility for certification, to use the signature stamp on the required certificates. The vote may be taken at the beginning of each year and may apply to all elections to be held during the year. Such a vote should be recorded in the minutes of the registrars' meeting. However, the registrars should make the determination on applications when eligibility is questionable.

A. REGISTERED VOTERS

The following outlines the steps to be taken in processing applications from registered voters to determine eligibility for an absentee ballot whether the application is received by mail or hand delivered over the counter.

1. Time Stamp the Application (or note the date and hour of receipt on it)

2. Check Information

Read the application carefully to be sure it contains the necessary information. If the applicant has made out his application at the counter, ask him to wait while you check it so he can supply any needed information or identification, etc. before he leaves your office.

If, however, the application was delivered by someone other than the applicant or by mail, you may add needed information from your records when possible. If you cannot obtain information from your records, such as the address to which the ballot should be mailed, notify the applicant as soon as possible asking him to supply the information. (see sample notice on page 453) Additional information received by mail should be attached to the original application.

If time does not permit obtaining information by mail, you may telephone the applicant or a member of his immediate family. Add the information received directly on the application and enter the following note "Added per tel. call to applicant [father, mother, etc.] on [date]."

a. official form AV2: (see sample form on page 442)

The form should be completed including the following information:

- Item 1. The election for which the application is being made. The applicant should make a check mark in the box next to "primary" or "election" as applicable. If he neglects to do so, the application should be processed for the next primary or election to be held. (see III. D. SEPARATE APPLICATION FOR EACH ELECTION on page 358)

- Item 2. The party whose ballot is requested, if for a primary. See IV. E. PRIMARIES on page 400 for additional information related to processing primary applications.

- Sign Here. The applicant's signature. The applicant is not required to sign his application as registered or listed. However, if he does so, questions sometimes raised at a recount can be avoided. The applicant must personally sign his application except when prevented from signing his own name by physical disability. In this case, he may have his application signed for him by any person whom he designates. The person assisting the applicant should sign the applicant's name and add a signed statement that the applicant was unable to sign his own name giving the reasons. (see 54:79,98,103E)

  Note: 54:79,98 and 103E apply to voting in person and affidavits on absentee ballot envelopes. However, the same procedures should be applied for applications for absentee ballots. Voters should not be disenfranchised by inability to prepare or sign applications.

- Sign Here. Line to right of signature line; applicant's printed name. The applicant is not required by the General Laws to print his name as well as enter his signature. However, his printed name will assist you in processing the application particularly if the signature is difficult to read.

- Item 3. Applicant's legal voting address. The applicant should enter his street and house number, if any, the name of your town and the precinct, if any. If this information is omitted or incomplete, you may obtain it from your records and enter it on the application.

- Item 4. First box. If the ballot is to be mailed, the first box should be checked and the address to which the ballot is to be mailed should be entered on the line directly below. This information is essential. If it has been omitted or is insufficient, contact the applicant as soon as possible. If timing is critical, telephone the applicant or a member of his family, if possible.

- Item 4. Second box. If the applicant wishes to vote in your office rather than having an absentee ballot mailed, he should make a check mark in this box instead of checking the first box and entering a mailing address.

- Item 4. Third box. If the applicant has been admitted to a health care facility after noon of the fifth day before the election and wishes to have his ballot hand delivered, the third box should be checked. If he wishes to have a relative rather then an election official deliver the ballot, the relative's name and relationship should be entered on the lines provided. (see VI. BALLOTS, D. 3. Other Health Care Facilities on page 416)

- Item 5. Voter status. Applicants who are registered voters should make a check mark in the first box and enter the name of the city or town on the line provided. Applicants who are not registered voters should make a check mark in the second box and enter their legal residence, including the street and number and city or town, in the line under the second paragraph. However, regardless of the box checked by the voter under this item, you will need to check your records to determine his voter status.

- Item 6. Physically disabled applicants. Space is provided under item 6. for physically disabled applicants to enter their signature and the date. However, such voters are no longer required to sign a statement of physical disability on their applications. The application should not be returned to the applicant or rejected if he neglects to enter his signature under item 6. On the other hand, if the voter forgets to sign his name under item 2. Sign Here but does sign under item 6. the application may be considered properly signed.

  Item 6. Also provides space for the physically disabled applicant to indicate by checking the appropriate box whether or not he has filed a certificate of permanent physical disability. However, the applicant is not required to enter this information. 54:91 requires that the town clerk write a statement on the application that a certificate has been filed and to sign his name prior to forwarding the application to the registrars for certification. Whether or not the applicant has marked one of these boxes, you will need to check the certificates on file in your office to be certain of the applicant's status. It is suggested that for voters on the permanently disabled voters' list, you check the first box at the time you complete the application for forwarding to the voter. (see III. F. 2. Permanently Disabled on page 359)

b. official form PAV2 - prisoners: (see sample form on page 444)

Form PAV2 is designed specifically for use by prisoners. However, prisoners may also use Form AV2. If Form PAV2 is used it should include the following information:

- Item 1.

  -- Sign Here: See IV. A. 2. a., Item 2, on page 364 for signature and printed name.

  -- Home address before incarceration: The applicant should enter the street and number, city or town where he is a registered voter, or if not a registered voter, where he lived immediately before he was incarcerated.

  -- Last date I lived at home address: If the applicant is not certain of the last date on which he lived at his home address, he should estimate it as closely as possible.

  -- Date of birth: The applicant should enter his date of birth. This information may be needed to determine the identity of the applicant, but is not required by the General Laws. Note that the date of birth is required on an application made by a relative for a nonregistered specially qualified voter. (see 54:103J and IV. D. KINDRED APPLICATIONS on page 394)

- Item 2. If the applicant is a registered voter, the first box should be checked. If not, the second box should be checked. Regardless of whether or not the applicant has checked one of these boxes, you will need to check the voter registration records to determine his voter status.

- Item 3. See IV. A. 2. a., Item 1. on page 364. In addition, the form provides a space on which the date of the election or primary should be entered. However, if the date is not entered, process the application for the next election or primary to be held.

- Item 4. See IV. A. 2. a. Item 2. on page 364.

- Item 5. Ordinarily, a prisoner would enter the address of the prison or jail in which he is confined. However, a prisoner who is a registered voter is eligible to vote by absentee ballot if he is confined on election day and therefore unable to vote in person at the polls. The address he enters on his application does not need to be a prison or jail. For example, the prisoner may be in prison on election day but on furlough prior to the election and wish to vote from his home.

  On the other hand, a prisoner who is not a registered voter, must enter the address of a prison or jail in order to be eligible for an absentee ballot as a nonregistered specially qualified voter under 54:103B if the ballot is to be mailed to an address anywhere within Massachusetts. If the ballot is to be mailed to an address outside of Massachusetts, it may be a residential address since the applicant would then be a nonregistered specially qualified voter under 54:103B because he is absent from the state. (see IV. C. NONREGISTERED SPECIALLY QUALIFIED VOTERS on page 389)

c. federal postcard application (see sample form on pages 445-446)

The federal postcard application was designed for use in all states and contains several items not required by Massachusetts law or needed to process the application. (see a. official form AV2 on page 363)

The following items should be completed:

- Item 3. Voting Residence. Only the street name, house number and if known, the precinct need to be entered by the applicant. If an entry is made in item 3. a., it may assist you in processing the application.

- Item 4. Mail Absentee Ballot To: (see IV. A. 2. a. Item 4. on pages 364-365)

- Item 7. I REQUEST ABSENTEE BALLOTS FOR THE FOLLOWING ELECTIONS: The applicant should mark a box next to (a), (b), OR (c) as applicable to the primary or election in which he wishes to vote. However, applicants often mark more than one box, or the box next to (d). In this case, the application may be processed for the next event to be held. Notify the applicant that he must make a separate application for the subsequent election. (see also III. D. SEPARATE APPLICATION FOR EACH ELECTION on page 358)

It is suggested that you enclose an application form with the notice.

For primaries, unless the applicant is a registered voter enrolled in a party, he should enter in the space provided the name of the party whose ballot he wishes. (see IV. E. PRIMARIES on page 400 for additional information relative to processing primary applications)

- Item 8. The signature of the person requesting the ballot must be entered under item 8. e. He must sign personally unless unable to do so. (see IV. A. 2. a. Sign Here on page 364)

Information entered in Item 1. is not necessary. Item 9. does not need to be completed or signed since the applicant is not required to take an oath.

Note: A statement of citizenship and date of birth are required only on kindred applications and on partial ballot applications. (see IV. D. KINDRED APPLICATIONS on page 394 and IX. PARTIAL BALLOTS, on page 435)

If the applicant has checked one of the boxes under Item 6. a. through e., it may assist you in processing the application, but you should determine the voter's status by checking your own records. (see 3. Search for Applicant's Name on page 369)

If the applicant has completed Item 2. giving an address outside of your town, the application should not be processed, unless you determine from your voter registration records that he has registered to vote in your town since the year entered in Item 2. a. Or, if your census records showed that the applicant moved into your town since the year entered in Item 2. a., he may be entitled to an absentee ballot as a nonregistered specially qualified voter. (see IV. C. NONREGISTERED SPECIALLY QUALIFIED VOTERS on page 389) If the applicant has not registered or moved into your town since the year entered in Item 2. a., notify him that he must request a ballot from the locality in which he last voted.

Note: A postage free post card is provided for the town clerk to notify the applicant of receipt of his application and to request additional information. You are not required to notify the applicant that a ballot will be sent or the approximate date of mailing, but may do so if you wish.

d. written communication (see sample on page 447) [54:87(b)]

The written communication must include at least the following:

- some indication that an absentee ballot is requested. This may be a sentence or part of a sentence. For example, including only the words "ballot to" is sufficent.
- the address to which the ballot should be mailed, or a statement that the voter will come to your office to vote.
- the applicant's voting address in your town. If this has been omitted, you may add it from your records.
- the applicant's signature, unless he is unable to sign personally. (see IV. A. 2. a. Sign Here on page 364)

3. Search for Applicant's Name

All possible voter registration records should be searched before concluding that the applicant is not a registered voter in your town even though he has indicated on his application that he is not registered. For each application carefully check the name and voting address to be certain that you have found, or cannot find, the name of the person who signed the application.

While searching your records, you should be sure to check the notices of those who have registered in another town to avoid certifying an application from someone not eligible to vote in your town even though his name may still appear on a list or his affidavit of registration may still be in the active card file.

While it is unlikely that you will receive an application from a deceased voter, it sometimes happens. In this case, check the death certificates on file to be certain you have not made an error in marking the voter's name as deceased. If there is more than one voter with the same or a similar name, you may need to obtain the applicant's date of birth. Also, check the date of death carefully against the date of the application. The applicant may have made application shortly before his death. In this case, mark the application "deceased [date]" and place it in a separate file. If a clerical error has not been made, or the applicant is not recently deceased, call this application to the attention of the board of registrars since someone may be attempting to vote in a name other than his own. The registrars may want to consult with town counsel to determine what action should be taken.

The records to be searched are listed below in a. through f. The order in which they are searched varies from town to town and will depend upon your file arrangement, location and size and upon when the application is received.

To help you keep track of what has been searched and where the applicant's name was found, a rubber stamp listing the types of records may be used.

SAMPLE LIST FOR RECORD SEARCH

Current VL X
Sept. Prim. Supp X
Nov. El. Supp. X
ATE Supplement X
Aff. of Reg. X
Drop Voter List '83
Inactive Aff.
Previous VL
Street List

The items in the list you prepare should be arranged in the order in which you will search the records. This list may be stamped on the front or back of the application before you start processing. If on the front of an official form, be careful not to stamp over necessary information, particularly the applicant's signature. If you enter "no" or "x" next to the type of record searched without finding the applicant's name, you will avoid searching the same record twice should you be interrupted before completing the search.

If you do not use such a stamped list, it is helpful if you note on the application itself the record in which the name was found to provide a quick reference should questions about the applicant's eligibility be raised at a later time.

In either case, if the name was found on a dropped voter list, an inactive affidavit of registration, or a previous voting list, enter year in which the voter was dropped. (see sample list above)

If your voting lists, supplementary lists and affidavits of registration are arranged by precincts and/or in order by streets, you may also need to check records arranged alphabetically by voter's name, such as the alphabetical section of the street list or the annual register, in order to find an applicant's name.

a. current voting list (see also PREPARING ELECTION MATERIALS, V. VOTING LIST on page 221)

In some towns, the current printed or typed voting list is the first record searched as follows:

- for a town primary, preliminary or election

  The current voting list would be that used at the most recent previous election, corrected by crossing off the names of those no longer eligible to vote in your town and adding the names of new voters.

  In some towns, the voting list is updated and reprinted prior to the annual town election, but this reprinted list is usually not available by the time you must start processing applications for that election.

- for a presidential primary

  The current voting list to be searched would probably be the same as for an annual town election.

- for a September state primary

  You are required to print a "first voting list" and have it available for public distribution by July 1st in each even numbered year. [51:55] You would search this first voting list for applications for a September primary.

  It is unlikely that you will receive many applications for a September primary before July 1st. However, if you do, such applications may be placed on file and not processed until after July 1st when the first voting list is available.

- for a November state or presidential election

  The first voting list would be searched for a November election the same as for a September primary.

In many towns, a master voting list is kept and continuously updated as death certificates and notices of registration in other towns are received. Changes of name, address and party enrollment are also entered on the master list. Searching such a master voting list for each election will usually eliminate the need for searching other separate records and will help to correct addresses.

If an applicant has recently moved, you may receive an application on which the voting address given is different from that appearing on the voting list. Such an applicant must vote in the precinct where listed, unless he has made a written request prior to the close of registration to be registered and vote at his new address. [51:3] If he has not made such a request, enter on the application, the address shown on the voting list. If he has made the request, your voting list should be corrected. You should also notify the voter that his request has been received and that he may vote in the precinct to which he has moved. (see also, ELECTION DAY, VII. ERRORS ON VOTING LIST, A. ADDRESS ERROR in Volume 4 of this series)

Note: If your town does not vote by precincts, the address on the voting list may be changed without a written request from the voter. However, to comply with 51:38, you should send a notice to the voter that his voting address has been changed.

You may also receive an application from a voter whose name has recently been changed. If you find the voter on the list under his previous name, he must be permitted to vote in that name until after June 1st of the year following the change. [51:2] You may need to search census records or contact the voter to obtain his former name. (see also, ELECTION DAY, VII. ERRORS ON VOTING LIST, B. NAME ERROR in Volume 4 of this series)

b. supplementary voting lists (see also PREPARING ELECTION MATERIALS, V. VOTING LISTS on page 221)

Unless there are very few new voters and the names are added directly on the printed voting list, supplementary voting lists are prepared containing the names of new voters who register prior to the close of registration for the next election. The number of supplementary lists to be searched will depend upon the election for which the application is received, when you process new registrations and the frequency with which you reprint the voting list.

In some towns, new registrations are processed in groups prior to the close of registration and a partial supplementary list is prepared for each group. If data processing is used, the supplements and partial supplements may be a computer printout rather than a typed list.

In any case, all supplementary and partial supplementary lists should be searched.

The procedures with respect to a new address or name appearing on an application when the voter is listed at a former address or under a former name on the supplementary list are the same as for voting lists outlined under a. current voting list above.

c. affidavits of registration - active (current) file

The affidavits of registration to be searched will depend upon whether or not you have already searched the voting lists and supplements and the problems you may have encountered during that search.

To avoid inadvertently certifying an application from a person not eligible to vote until a subsequent election, it is suggested that you file affidavits of registration received after the close of registration in a separate clearly marked file. Otherwise you will need to check the date on each affidavit of registration not yet processed.

- voting lists and supplements searched first

During your search of the voting lists or supplements you may need to refer to the affidavits of registration to be certain which voter is applying for the absentee ballot.

Examples: 1) John J. Jones has signed the application. You find both John J. Jones, Sr. and John J. Jones, Jr. on the voting list at the voting address given on the application. Comparing the signature on the application with that on the affidavit may help you determine which voter has applied. If not, contact the applicant for clarification.

2) The signature on the application is illegible and the applicant has not included his printed name. Referring to the affidavits of registration containing the voting address given on the application, may help you determine which voter has applied.

3) If you do not find the applicant's name on the voting list or a supplement, reference to the affidavits of registration having

the voting address given on the application may reveal that the name has been omitted from the list through clerical error.

In any event, you will need to search those affidavits of registration which have been received prior to the close of registration, but which have not yet been processed since the names of these voters would not yet appear on the voting list or supplement.

- affidavits of registration searched first

In some towns, the affidavits of registration in the current active file are searched before or instead of the voting lists or supplements regardless of what lists have been prepared at the time the application is received. This active file is often the most up to date record of registered voters. While not required by law, a search of this file will allow a signature comparison to help ensure that the correct voter is found. It will also allow an application to be accepted even though a clerical error may have omitted the name from the voting list.

If the applicant's name is not found in the active card file, the affidavits received before the close of registration but not yet processed should be searched.

d. dropped voter lists

51:37 requires that a list be prepared and posted each year containing the names of voters dropped from the voting list as a result of the annual town census. This list is commonly called the dropped voter list, drop list, omitted voters' list, omit list, or some similar name. In this manual the term dropped voter list will be used. If the voter's name is found on a dropped voter list enter in the list of records searched or on the application, the year in which the dropped voter list was prepared. (see sample List For Records Search on page 370)

The procedures required by 51:59 and by the Regulations 950 CMR 51.03(5), 52.03(5), 54.03(6), allowing voters incorrectly dropped or incorrectly listed to vote in person on election day, should also be used, insofar as possible, to allow such voters to vote by absentee ballot.

The procedures are outlined in detail in ELECTION DAY, V. OMITTED VOTERS in Volume 4 of this series. In the following 3 paragraphs, the references given relate to paragraphs under V. OMITTED VOTERS.

Information may be obtained (A. 2.) and suitable written identification may be requested (A. 3.). Note that if the applicant can provide such identification, the registrars cannot refuse to certify the application unless they affirmatively establish that the applicant has not, in fact, continuously resided in the town. Failure to be included in the annual street listing or to respond to a drop notice cannot be used as evidence of noncontinuous residence. (B. 3. a.)

Information on searching the dropped voter list appears in B. 2. b.

In deciding whether or not the application is certifiable, the procedures outlined in B. 3. b. and c. may be used, except that, in most towns, a warden's or listing error certificate is not actually issued for absentee ballot applicants.

The applicant may be required to sign an affidavit of continuous residence and, in that case, it is suggested that the affidavit be attached to his affidavit of registration and a copy be attached to the application. He may also be required to complete a census form or an application to have his name returned to the voting list.

The absentee ballot may be challenged if his eligibility is questionable or if he cannot provide suitable written identification.

Note: While the challenged ballot procedure is usually used for an omitted voter whose eligibility is questioned, a listed voter may be challenged if he fails to provide suitable identification when requested. [54:76B]

- applicant in office

If the applicant has made out his application in the office, the necessary information should be obtained, identification requested, and affidavit of continuous residence, application to return name to voting list or census form should be required before he leaves the office.

If he wishes to vote at the time he makes application, and the ballot is to be challenged because the applicant cannot produce satisfactory identification or for some other reason, it may be challenged before it is given to him using the procedures outlined under ELECTION DAY, IX. D. CHALLENGED BALLOTS in Volume 4 of this series, except that the town clerk, assistant town clerk, registrar, assistant registrar or regular office employee instead of the warden would challenge, administer the oath and write the required information on the ballot. Or, the ballot may be challenged when it is processed at the polls on election day.

If the ballot is to be mailed, inform the applicant that he may obtain and provide the requested identification, etc. before his ballot is mailed, if possible. Otherwise, his ballot will be challenged when it is processed at the polls on election day and let him know what the procedures will be.

Enter CHALLENGE or CV or some similar notation on the application and if applicable, add "voter will bring in [mail copy of] ID - hold ballot until [date]." If you receive the requested documents by the date entered, cross out CHALLENGE or CV and enter "ID presented [received] on [date]" or a similar note as applicable and then mail the ballot. However, be certain that mailing the ballot is not delayed so long that it may not reach the voter in time for him to vote and return it before the polls close on election day.

- applicant not in office

If you have received the application by mail or it was delivered to the office by someone other than the applicant, it may be more difficult to obtain a completed and signed census form or application to have name returned to the voting list, suitable identification or a signed affidavit of continuous residence. A residence in your town entered on the application as the address to which the ballot should be mailed, may be sufficient evidence that the applicant is qualified to receive an absentee ballot. The registrars should make the determination and establish procedures.

The following procedures are suggested:

If there is time before the election, forward a census form, application to return name to voting list, or affidavit of continuous residence asking that the applicant complete it and return it to the office as soon as possible. The applicant may also be asked to send you a photocopy of his ID and, if so, include in the notice a list of identification considered suitable. Also inform the applicant that if the requested documents are not received by a certain date, his ballot will be mailed but will be challenged. Include the reason. (see sample notice on page 454)

However, if timing is critical, you should not risk disenfranchising the voter by waiting to obtain the requested information or signed forms before sending his ballot. Enclose the notice and the forms with his ballot, requesting that they be signed and returned or that he send a copy of his ID, if applicable, as soon as possible or that he enclose the requested document(s) in the return envelope outside the inner ballot envelope.

Enter on the application "CHALLENGE unless documents received" and attach a copy of the notice to the application.

If the completed forms or ID are not received, the ballot may be challenged when processed at the polls.

Note: See IV. A. 5. Rejected Applications on page 385 for information on escrow ballots for absentee ballot applicants.

- return the name to the voting list

If the registrars determine that the applicant was incorrectly dropped and that his application should be certified, his name should be returned to the voting list to be used at the polls so that the election officers will have sufficient information to process the absentee ballot received by them on election day. The name should be returned at his current address shown on the application rather than that shown on the dropped voter list, if different.

The name should be returned to the voting list even if the ballot is to be challenged since, if the voted ballot is received, the name must be marked on that list to show the ballot was cast [or rejected as defective] and the letters CV must be added next to the voter's name. (see ELECTION DAY, IX. D. CHALLENGED BALLOTS, 3. c. in Volume 4 of this series)

Note: If the registrars determine that the applicant's name should not be returned to the voting list, the applicant may be eligible to receive an absentee ballot as a nonregistered specially qualified voter. (see IV. C. on page 389)

There are several methods which may be used to return a name to the voting list.

(1) The name and address of the applicant may be typed directly on the voting list as shown in the sample below.

SAMPLE VOTING LIST WITH NAME ADDED

TOWN OF [NAME] PRECINCT 4 PAGE 3

			CENTER STREET			DAVIS ROAD
	R	3	BURKE, WILLIAM R.	D	1	ALFRED, WILLIAM
	R	3	BURKE, ALICE P.	D	1	ALFRED, MARY
	V	9	VALENTINE, MARGARET L.	V	3	JONES, FRANK R.
	V	9	VALENTINE, HAROLD	R	3	JONES, SALLY B.
**	D	10	SMITH, ROBERT	V	3	JONES, ROBERT
│	D	10	SMITH, JAMES Q.	U	5	WHITE, FRANCIS
│	V	19	GLEASON, SOPHIA	U	5	WHITE, ALICE
↓						
**	V	10	SMITH, MARY K.			

In some towns, the names are added on the voting list in red so that the election officers will notice them.

(2) The name may be included along with new voters on the supplementary list to be used at the polls.

(3) If you have a large number of applications, a card may be made out for each applicant and used as a reference to add the name to the appropriate lists when they are prepared. The cards would be filed in the order in which the names will appear on the lists to be used at the polls.

SAMPLE CARD

NAME______________________________DATE________

PRESENT VOTING ADDRESS________________________

PREVIOUS VOTING ADDRESS_______________________

DROPPED VOTER LIST____________________________
(year)

You may include on the card, the date of birth and occupation to provide additional information for identification. If you provide a card for residents to respond to a notice of being dropped from the voting list, the same type of card, or cards left over from your annual census, may be used.

e. affidavits of registration of dropped voters

In some towns, affidavits of registration for voters being dropped from the voting list are removed from the active file each year following the annual town census. These affidavits are stamped "dropped [year]" or some similar notation is entered. The cards are placed in an inactive file in the office and kept there for three years or longer. In this case, a search of the inactive affidavits of registration, instead of the dropped voter lists, may be made.

If notations such as "deceased [date]" and "registered in [town/state][date]" are also entered on the affidavits of dropped voters, a search of the inactive card file would ensure that applications from voters deceased or registered elsewhere would not be inadvertently certified.

If the applicant's name is found in the inactive affidavits of registration, enter "Dropped [year]" on the application or on the List For Records Search. The names of these applicants, if certified, would be returned to the voting list and the affidavit of registration returned to the active file.

f. previous voting lists

If an applicant's name is not found on any of the records under a. through e. above, the printed voting lists and supplements for at least the three previous years should be searched. It is possible that a voter's name was omitted from the current lists through clerical or computer error at some time in the past and the error not found.

If the applicant's name is found on a previous voting list, the procedures to use would be the same as for a name found on an omitted list or on an inactive affidavit of registration.

4. Certifiable Applications

If you find, after searching the records listed under 3. above, that the applicant is either a registered voter in your town or is entitled to have his name returned to the voting list, the application should be certified, the capital letters AV entered on the voting list to be used at the polls and the name entered on the lists of absentee voters.

Note: If you do not find the applicant's name on a voting list or a supplement, or he is not entitled to have his name returned to the voting list, he may be entitled to receive an absentee ballot as a nonregistered specially qualified voter. [54:103B] (see IV. C. on page 389)

a. certification [54:91]

Each application must be certified by having at least three members of the board of registrars sign, or the registrars' signatures stamped, in the space provided at the bottom of the official form. The precinct number, if any, and the name of your town should also be entered in the appropriate spaces on the registrars' certificate. Letters of request and federal post card applications may be stapled to a blank official application form to provide space for certification. In that case, it is suggested that the name and address of the voter be entered on the form in case the letter or card becomes separated.

Note: The state secretary provides a Registered Voter Certificate, Form AV-3, which may be attached to a letter or post card application instead of using the official application form. (see sample form AV-3 on page 455)

Certifiable applications may be allowed to collect until a number of them are available and can be signed by the registrars, or the signatures stamped on them, at the same time. However, if the absentee ballots are available, you should not delay mailing them until after formal certification, unless you have a question about the applicant's eligibility. In that case, the registrars should meet as soon as possible and make a determination to ensure that the ballot can be mailed and returned in time to be counted. The registrars may be telephoned to obtain verbal approval of an application and this approval ratified by a formal vote of the board at its next meeting.

In addition, a person who applies to vote by absentee ballot at the office, may also request that he be permitted to vote during the same visit. In this case, the town clerk, a registrar or an assistant registrar must examine the application. If he believes the signature thereon to be genuine and the person executing the signature to be a duly registered voter, he must sign the certificate and remain present while the voter marks the ballot. [54:91; 1985:113] Such an application does not need to be signed by a majority of the board of registrars at a later time. However, if you are uncertain as to the applicant's eligibility, contact the registrars and obtain approval by telephone if possible so that the applicant can vote prior to leaving the office.

It is suggested that you discuss procedures with your board of registrars prior to an election to establish methods which ensure that voters are not disenfranchised by administrative formalities. Note that the General Laws do not require that the registrars sign the certificates at a formal meeting. When eligibility is questionable, the registars, not the town clerk acting alone, should make the decision on whether or not to certify an application.

b. marking AV on the voting list [54:91]

The town clerk shall cause to be placed on the voting list to be used at the polls on election day, the capital letters AV opposite the name of each voter whose application has been certified. [54:91] If paper ballots or punch cards are used, two copies of the voting list are required at the polls and AV must be entered on both copies. (see 51:60) The law does not require that AV be entered on any list retained in your office.

Note: AV must be entered on the lists regardless of whether or not an absentee ballot is returned by the voter.

You cannot complete entering AV on the list(s) until after the deadline for filing applications has passed. However, unless you receive only a small number of applications, you will need to start the process well before that deadline.

You may enter AV on the printed voting list and completed supplementary lists at the time you search for the voter's name while processing the application and this copy of these lists may be sent to the polls.

In this case, you will need some method of keeping track of the applicants whose names were found in records such as a partial supplement, affidavits of registration, dropped voter lists and previous voting list since AV will need to be entered on the lists containing these names after they have been prepared. The applications themselves may be placed in a separate file until after AV has been entered. Or, you may make out a card containing the applicant's name and voting address to be used as a reference to enter AV when the voting lists and supplements are available.

If possible, enter AV only on the voting list(s) which will be sent to the polls to avoid possible errors in transferring the AV notation from one list to another.

In some towns, AV is entered in a color which can be easily distinguished from the color(s) used by election officers to mark the lists on election day. AV is entered immediately to the left of the first column on the voting list so it will be noticed by the election officers when they are checking in voters at the polls. They must require a voter having AV opposite his name to present a certificate before allowing him to vote in person. (see ELECTION DAY, VIII. AV OR SAV MARKED ON VOTING LIST in Volume 4 of this series)

Note: If an absentee ballot has been challenged at the office, the letters CV should also be marked on the voting list.

c. list of certified applicants [54:91]
(see note under d. below)

The registrars are required to prepare and post for public inspection a list containing the names and voting addresses of all voters whose applications have been certified. If your town is divided into precincts these lists must be arranged by precincts. The General Laws do not specify when this list must be prepared and posted. However, unless you regularly receive very few applications for absentee ballots, you should start preparing the list well before the deadline for filing applications. Of course, the list cannot be completed until after that deadline has expired.

SAMPLE LIST OF CERTIFIED APPLICANTS

NAME	VOTING ADDRESS	MAILING ADDRESS	VIP	DATE SENT	BALLOT RETURNED
name	address		10/31		
name	address	address		10/17	
name	address	address		10/20	10/31
name	address	address		10/20	11/1
name [HCF]	address	address		10/21	10/21
name [HCF]	address	address		10/21	10/21

While only the name and address of the applicant is required to be entered on this list, the additional information shown above will give you a quick reference to answer the questions you will undoubtedly receive. If you do not enter the date the ballot was mailed and returned on the list of applicants, it is suggested that you enter it directly on the application.

Note: In the sample shown above, VIP indicates that the ballot was voted in person at the office instead of being mailed. [HCF] next to the applicant's name indicates that the ballot was hand delivered to a voter in a health care facility.

The names can be aranged on this list in the same order as they appear on the voting list even if you must start the list before the application deadline has passed.

Leave several blank lines between each name when you start. Enter names between these lines as additional applications are certified. You will probably find that the list gets somewhat crowded in places where sufficient blank lines have not been provided, but you need not retype the list as long as it is legible. Retyping can be very time consuming and there is additional chance for errors to be made.

In some towns, a copy of this list is sent to the polls on election day so that it can be packed and sealed in a fibreboard box with other official election material on election night, but this is not required.

d. absentee ballot disposition sheet, Form A.V. 20 [54:94] (see sample form on page 456)

You are required to prepare an absentee ballot disposition sheet on which you must record all ballots accepted and rejected after your examination of the affidavits. (see VII. PROCESSING ABSENTEE BALLOTS on page 425) This disposition sheet is called a tally sheet in 54:94, but it should not be confused with the tally sheet(s) used at the polls to record votes.

Form A.V. 20, for registered voters, is prepared and furnished by the state secretary for all elections, including town elections. The voter's name and voting address must be entered on these sheets for each absentee ballot which has been returned. The column entitled DATE has been provided on the form so that you may enter the date the ballot was received, but entering this date is not required by the General Laws.

A separate sheet must be prepared for each precinct, but the General Laws do not specify the order in which the names must be entered. The order will depend on how many ballots are returned and when you start preparing the sheet. In some towns, the name and address are entered at the time the ballot is received so that the list is arranged in the order of receipt of ballots. In other towns, ballots are allowed to collect for several days, or a week, and then are arranged in the order in which the names appear on the voting list before the names are entered on these sheets. This arrangement makes it somewhat easier to find a listed voter since you only need to check one or two names in each group rather than read through the entire list until the one you need is found.

Prepare the absentee ballot disposition sheet as shown in the sample on page 456. The entries may be handwritten or typed.

Continue entering names and addresses until all the lines on the front of the sheet are used. You may then enter names and addresses on the back of the sheet, or start a second sheet. If you have a large number of sheets for each precinct, it may be easier to find a voter's name if you use only the front of each sheet.

The names and addresses of all voters whose ballots are returned up to the close of the polls on election day must be entered.

Note: If you enter the names of all certified applicants on the absentee ballot disposition sheet, you do not need to prepare a separate list of applicants shown under c. above. The absentee ballot disposition sheet will serve to comply with the requirements of both 54:91 and 54:94. However, there is insufficient space in the disposition sheet to enter both the date of mailing and the date the ballot was returned.

In some towns, the absentee ballot disposition sheet is sent to the polls on election day so that the warden can sign it in the space provided and it can be packed and sealed with other official election material on election night. In this case, it is usually sent after the appropriate column for a ballot received on election day has been marked. However, it may be sent earlier if the warden has been instructed to mark the columns when he receives the ballots. Unless rejected ballots are also sent to the polls, include a note with the ballots to inform the warden where to mark the column entitled "Rejected as Defective."

e. filing applications

The General Laws do not specify how applications should be filed and they may be filed in whatever order is convenient for you. You should be able to find a given application and complete the required steps, such as marking AV on the voting list, mailing the ballots and preparing the lists of absentee voters as efficiently as possible.

Your filing arrangement at any given time may depend upon what steps have been taken in processing the application and may be changed after a particular step has been completed. For example, new unprocessed applications might be filed in order of receipt. Certified applications might be filed by voter classification and types of envelopes to be used. (see V. ABSENTEE BALLOT ENVELOPES, A. on page 404) After a ballot has been mailed or voted in the office, the application might be filed in the order in which the names appear on the voting list so that the list of certified applicants (see c. above) or the disposition sheet (see d. above) can be prepared in that order.

In many towns, applications are filed only in the order in which the applicant's name appears on the voting list, a separate file for each precinct if applicable.

5. Rejected Applications [54:91,103D,103K]

A written notice must be sent to each person whose application for an absentee ballot has been rejected. [54:91] An application made by a specially qualified voter cannot be rejected except after an investigation by the board of registrars and they may, if necessary, have a police officer investigate. [54:103D, 103K] (see C. 5. on page 394)

There are several reasons an application must be rejected, but prior to rejection, the applicant should be given an opportunity to correct deficiencies so that his application can be processed. A form notice may be used and should indicate the reasons the application cannot be processed. (see sample notice on page 453) Sign the notice and mail it to the applicant as soon as possible after receipt of the application. You may try to contact the applicant or a member of his family by telephone to obtain needed information (except a voter's signature) if there is little time before the election. Enter additional information received by telephone directly on the application. Additional information received by mail should be attached to the application.

a. application not signed

If the application is not signed, only the applicant can correct the deficiency. He may make out and sign a new official application. In this case, the new application should be processed and the orignal application should be destroyed. Or, he may send a signed note requesting a ballot. The note should be attached to the original application.

b. applicant's name not found in references

In this case, before sending a notice of rejection or form letter, check the application to determine where the ballot is to be sent and the status of the voter. If it is to be mailed to an address out of state, to an address out of your town to a serviceman, his spouse or dependent, or to a prisoner, the applicant may be entitled to an absentee ballot as a nonregistered specially qualified voter person. If so, follow the procedures under C. NONREGISTERED SPECIALLY QUALIFIED VOTERS on page 389)

If the applicant has recently moved, he may still be registered at his last previous address. You may be able to find him by looking at the most recent alphabetical street listing. If not, you will need to ask the applicant for his previous address.

c. more than one voter with same or similar name

You may be able to determine the correct voter by checking the signatures on the affidavit of registration, if you have not already done so. If not, you may need to ask the applicant for additional information, such has his middle name or initial, date of birth or occupation so that you can be certain which voter has applied.

d. name change

A voter who has had a name change because of marriage or for other reasons may still be listed under the previous name. In this case, you will need to ask the applicant for the previous name and search the references for that name. Note that the voter must be permitted to vote in his former name until after June 1st of the year following the name change. [51:2]

If you are still unable to process the application after receiving additional information, you should send a formal notice of rejection and state the reasons for rejection. (see sample notice on page 457) Note that the board of registrars should take a formal vote to reject an application and the notice should be signed by the registrars or by you as clerk to the board of registrars. You do not reject applications for absentee ballots in your capacity as town clerk.

Note: If the registrars unreasonably refuse to certify an application, the Supreme Judicial or Superior Court have jurisdiction to require that the registrars certify it. [54:103]

The person whose application was rejected should be permitted to mark an escrow ballot if he wishes. [51:59A; Regs. 51.03 (5A), 52.03(5A), 54.03(6A)] The procedures outlined under ELECTION DAY, XI. E. ESCROW BALLOTS (in Volume 4 of this series) should be used insofar as possible. The following procedures are also suggested:

- applicant applied to vote in office

  First inform the applicant that you cannot certify his application and the reasons. Offer the applicant the choice of returning at another time with suitable identification, if necessary, or of meeting with the board of registrars. If he cannot or does not want either of those choices, offer him an escrow ballot and explain the procedures. If he wishes to mark an escrow ballot, the procedures are the same as outlined in ELECTION DAY, XI. E. ESCROW BALLOTS 3. procedures - at the office in Volume 4 of this series. In addition, enter the word ESCROW on his application.

  The procedures outlined under VI. G. VOTING IN PERSON IN THE TOWN CLERK'S OFFICE on pages 421-423 should be followed, except that the word ESCROW or the code ES should be entered on both the inner and the return envelope and the ballot should be placed in the large manila escrow ballot envelope and kept in the office safe.

  Include in the escrow voter record, in addition to his name and address, the words "absentee ballot application rejected" including the reasons for rejection. Unless an escrow voter form is used, include in the record information supplied by the applicant, such as present and previous address, etc., or add this information directly on the application.

  Place the application marked ESCROW in a separate clearly marked file. It is suggested that you not seal the application in the escrow ballot envelope.

- ballot to be mailed

If the applicant is not in the office and the ballot must be mailed, the following procedures may be used:

-- enter the word ESCROW on the application and attach a copy of the notice of rejection

-- obtain the absentee ballot envelopes which would be used if the application could be certified. (see V. B. TYPES OF ENVELOPES on page 405) and prepare them as outlined under V. C. PREPARING ENVELOPES FOR USE on page 408)

-- enter the word ESCROW or the code ES on the inner and the return envelope. Enter the word ESCROW and the voter's name and address on the ballot

-- enclose the ballot, inner ballot envelope, return envelope, notice of rejection and if used, an escrow voter form in the mailing envelope. Include in the notice of rejection, the information concerning escrow ballot procedures. (see sample notice on page 457)

-- then mail the envelope (see VI. C. PREPARING BALLOTS FOR MAILING on page 413)

Note: The registrars will determine whether or not the ballot can be counted after the election if the marked escrow ballots may change the election results. (see AFTER ELECTION DAY, I. ESCROW BALLOTS in Volume 4 of this series)

B. SUPPLEMENTARY REGISTRATION [51:50,51; 1985:477; 54:91]

Any legal resident of the Commonwealth included in the definition of specially qualified voter (see 54:103B) throughout the 7 days immediately preceding the final time for registration under 51:26, may appear before a registrar or assistant registrar during business hours prior to 4 P.M. on the day preceding the election and be registered as a voter. [51:50; 1985:477] In this case, the voter must be given a certificate of supplementary registration. [51:51]

Note: If the day preceding the election is a Sunday, the deadline for supplementary registration would be 5 P.M. on the last previous day the office is open. For example, if the election is on a Monday and the office is regularly closed to the public on Saturday, the deadline for supplementary registration is 5 P.M. on the preceding Friday. The office must stay open on that Friday until 5 P.M.

The voter may vote by absentee ballot provided he applies before the deadline for such application and he presents his certificate of supplementary registration at that time. AV must be entered on the certificate opposite the voter's name and the certificate must then be attached to the voting list to be used at the polls on election day. [54:91]

The ballot may be mailed to such a voter, or he may vote by absentee ballot in the town clerk's office.

C. NONREGISTERED SPECIALLY QUALIFIED VOTERS [54:103A,103B, 103C,103D,103J,103P]

The general law provisions related to absent voting by specially qualified voters apply to town preliminary elections as well as to town and state primaries and elections. [54:103A,103P] (see II. B. on page 355 for list of nonregistered specially qualified voters eligible to receive an absentee ballot)

A nonregistered specially qualified voter may make application using the state form AV2, any other form of written communication, or may have a relative make application for him. [54:103D] (see D. KINDRED APPLICATIONS on page 394) If the applicant is a prisoner, he may use state form PAV2 if he wishes. All applications from nonregistered specially qualified voters, must request that a ballot be mailed.

In order for the registrars to certify an application, some record must be found to show that the applicant

- was a registered voter in your town at some time in the past, OR
- is now, or was at some time in the past, a resident of your town, OR
- his family members are or were registered voters or residents of your town.

The General Laws do not prescribe a limit on the age of the records to be searched.

To process the application, use the following steps:

1. Time Stamp the Application

2. Check Information

Check the application as outlined under IV. A. 2. on pages 363-367 to be sure the necessary information has been included. Carefully check the address to which the ballot is to be sent. It must be one of the following: [54:103B]

- outside of your town for applicants on active duty in the armed forces or merchant marine, their spouses or dependents. Under Item 5. on form AV2, you may need to get additional information to determine eligibility unless the applicant's status is apparent from the address to which the ballot should be sent since the box to be checked includes citizens absent from the state and prisoners. The census records may indicate status by the occupation listed.

- a correctional facility or jail, either within or outside of your town. [1984:39] Under Item 5. you may need to get additional information to determine eligibility unless the applicant's status is apparent from the address to which the ballot should be sent or he made application using a form PAV2.

- outside of Massachusetts for all other applicants

3. Search for Applicant's or Family Member's Name

It is suggested that you search the references listed in IV. A. 3. a., b. and c. on pages 371-374 even if the applicant has indicated his status as nonregistered on his application. He may have forgotten he registered or assumed that since he received a notice of being dropped from the list, he is no longer a registered voter and not entitled to have his name returned to the voting list. If you do not find his name in these records, search the affidavits of dropped voters, dropped voter lists, previous voting lists and street lists. Finding the applicant's or a family member's name in one of the those records may substantiate his eligibility to receive an absentee ballot. Note that a person in the military or merchant marine service (or a spouse or dependent), may have left your town upon entering the service and not have actually lived in your town since that time. Or, a person may have been living out of the country on long term assignment by his employer. These names may only appear in records several years old.

a. affidavits of registration of dropped voters

A dropped voter's affidavit of registration in the inactive card file or on microfilm, showing the applicant's name and the legal voting address entered on the application, could be used to establish his eligibility for an absentee ballot even though the date of registration and the date he was dropped from the voting list was well over three years ago.

However, check the records to determine if the affidavit was removed from the active file because a notice of registration elsewhere was received. If so, the applicant should be notified that he should apply to the town of his most recent registration to obtain an absentee ballot, or that he may mark an escrow ballot from your town if he wishes. If an escrow ballot is sent, follow the procedures outlined under A. 5. - ballot to be mailed on page 388.

b. street list

Search the street list starting with the most recent and work back through previous lists in order by year. If you find the applicant's name at the legal voting address given on the application, this record could be used to establish the applicant's eligibility to receive an absentee ballot.

Note that the applicant may have left your town several years ago so you may need to search the lists for a number of previous years. Also, the applicant may have left your town when he was under 17 years of age, too young to have his name included on a street list. In this case you will need to find the names of the applicant's family members.

c. voting lists

You may not find the applicant's name on the voting list, either current or previous, but you may find individuals with the same surname at the legal voting address given on the application and this record could be used to establish eligibility to receive an absentee ballot.

4. Certifiable Applications [54:103C]

If the registrars find that the application has been made by a person included in the definition of specially qualified voters under 54:103B, or determined to be qualified for voting as provided in 54:103J, they shall so certify and return the application to the town clerk.

If you find the applicant's name, or the family name, on one of the references listed above, his application should be certified, unless there is a record to show that he registered elsewhere, or he states on his application that he last voted elsewhere.

If the applicant's eligibility is questionable, he may be asked to provide suitable identification, sign an affidavit of continuous residence, etc. In addition, his ballot may be challenged and in that case, follow the procedures outlined under A. 3. d. - applicant not in office on page 376.

a. certification

Each application must be certified by having at least three members of the board of registrars sign, or the registrars' signatures stamped, in the space provided at the bottom of the official form. The precinct number and the name of your town should also be entered in the appropriate spaces on the registrars' certificate. Letters of request or post card applications may be stapled to a blank form AV2 or if from a prisoner to a blank form PAV2 to provide space for certification. It is suggested that the applicant's name and voting address be entered on the form in case the letter or post card becomes separated.

Note: The state secretary provides a Nonregistered Voter Certificate, Form SAV-3, which may be attached to a letter or post card application to provide space for certification. (see sample form on page 458)

b. list of certified applicants [54:103L,103M]

(1) prepare and post list [54:103L]

The registrars shall seasonably, before every election, prepare lists containing the names and addresses of all nonregistered persons whose applications have been certified. The list should be prepared by precincts, if applicable. A copy of this list must be posted in the principal office.

The list cannot be completed until after the deadline for making application has passed, but, unless there are very few applicants, it should be started before that deadline. It is helpful if the names and addresses of the applicants are arranged in the same order as the voting list. The names of those who return ballots will have to be marked to show that the ballot was accepted or rejected.

(2) transmittal to state secretary or town clerk [54:103L]

The registrars shall give written notice to the state secretary before state elections and to the town clerk before town elections, of the number of residents whose names are included in the list of nonregistered applicants. In towns having precincts, the number in each precinct must be transmitted. The notice may be sent in letter form since there is no official form to be used.

In addition, before each biennial state election, the registrars must furnish the state secretary with a mailing list of all nonregistered voters. Mail a copy of the list prepared as outlined in (1) above as soon as it has been completed.

Forward the notice and the list to the Elections Division, One Ashburton Place, Room 1705, Boston 02108.

(3) transmittal to election officers [54:103M]

Before every election, the registrars shall seasonably transmit copies of the list prepared under 54:103L to the election officers of every voting precinct. In paper ballot and punch card towns, two copies of the list should be transmitted, one for the check-in and the other for the check-out table.

The list should be sent on election morning with the voting list and supplements to be used in each polling place. It will be needed by the election officers to process the absentee ballots at the polls and to obtain a balance between the number of names marked on the lists and the number of ballots cast. (see ELECTION DAY, XIII. PROCESSING ABSENTEE BALLOTS AT THE POLLS, and XV. AFTER THE POLLS CLOSE, C. 1. in Volume 4 of this series)

c. absentee ballot disposition sheets, form A.V.20A (see sample form on page 459)

A set of disposition sheets must be prepared for nonregistered specially qualified voters containing the names and addresses of all voters whose ballots have been received, a separate sheet for each precinct, if applicable. These disposition sheets are similar to those used for registered voters, but are printed in black ink and a large N appears in the upper right corner.

In some towns, the disposition sheet is sent to the polls on election day so that it can be signed by the warden and packed and sealed in a fibreboard box with other official election materials on election night. In that case, it is usually sent after the appropriate column for a ballot received on election day has been marked. However, it may be sent earlier if the warden has been instructed to mark the columns when he receives the ballots. Unless rejected ballots are also sent to the polls, include a note with the ballots to inform the warden where to mark the column entitled "Rejected as Defective."

5. Rejected Applications [54:91,103D,103K,103O]

An application from a nonregistered specially qualified voter may not be rejected except after an investigation. [54:103D] Ordinarily this investigation would consist of contacting the applicant or his family and obtaining additional information so that the application may be processed. For example, an applicant requesting that a ballot be mailed to an address within Massachusetts may not have indicated that he was on active duty in the armed forces or that he was the spouse or dependent of such a person. Or, the records may not clearly indicate that the applicant is a member of the family whose name was found at the voting address entered on the application.

Upon request by the registrars, the police department must make an investigation of an application from a nonregistered specially qualified voter. The investigating police officer must then report his findings to the board and forms for this report are prepared and provided by the state secretary for state primaries and elections. The forms as prescribed by the state secretary should be prepared and provided by the town clerk for town elections, but extra state forms may be used. [54:103K, 103O] (see sample form on page 460)

If an application must be rejected after an investigation, a written notice must be sent to the applicant. [54:91] The applicant should be permitted to mark an escrow ballot if he wishes and in that case, follow the procedures outlined under A. 5. - ballot to be mailed on page 388.

D. KINDRED APPLICATIONS [54:89A,103D,103J; 1985:599] Form SAV-2 (see sample form on page 443)

Certain persons are entitled to receive an absentee ballot upon application by a relative instead of making their own applications.

If the person to receive the ballot is a registered voter who will be absent from the town during the time the polls are open on the day of the election by reason of being a specially qualified voter under 54:103B or attendance at any institution of higher learning, he may be sent an absentee ballot upon the application of his parent. [54:89A; 1985:599] The parent does not need to be a registered voter in Massachusetts. Unless the specially qualified voter is on active duty in the armed forces or merchant marine or the dependent of such a person, or in prison, he must be outside of

Massachusetts. If the person is a college student, the school he attends may be within or outside of Massachusetts.

Note: If the school is outside of Massachusetts, the college student would also be eligible for a kindred application under the provisions relating to specially qualified voters and could be sent a ballot even if not a registered voter. In that case, the requirements outlined in the paragraph below apply.

In addition, any person included in the definition of specially qualified voters under 54:103B, whether a registered voter or not, may be sent an absentee ballot upon the application of a close relative. The relatives qualified to make the application are not limited to parents but may be any of those specifically listed in the definition of "kindred" under 54:103B. However, in this case, the relative must be a registered voter in Massachusetts but does not need to be a registered voter in your town. [54:103D]

If applying for a nonregistered specially qualified voter, the relative must appear in person at the town clerk's office and the official form SAV2, commonly called a "kindred application," should be used. [54:103J]

Use the following steps for such an application.

1. Give the application form to the relative and ask him to complete it.

2. Check the Information

   Check the completed form carefully to be sure that all the necessary information has been included and that it has been signed.

   The following information should be included on the form:

   - Item 1. The relative completing the form should enter his name on the line provided after "I."
     - -- for a nonregistered specially qualified voter, the relative must complete the entire item entering his voting address including street and number and a Massachusetts city or town. If the relative is not a registered voter in Massachusetts, he is not eligible to make the application. [54:103D]
     - -- for a specially qualified voter or a college student who is a registered voter, if the parent making the application is not a registered voter in Massachusetts, he should cross out the words "registered voter" and enter his residential address including street and number and city or town. [54:89A;

1985:599] If a relative, other than a parent, is making application for a registered specially qualified voter, the relative must be a registered voter in Massachusetts.

- Item 2. The name of the person for whom the application is made should be entered on the line provided.

  — for a specially qualified voter, his voting address, or if not a registered voter, his residential address should be entered. The address must be in your town.

  — for a college student who is a registered voter, his voting address should be entered and must be in your town.

  The precinct number is not required to be entered by the relative. If omitted, it may be added from your records.

  A check mark in one of the boxes next to "primary" or "election" and the date of the election should be entered. If the relative checks both boxes, ask him to make out two separate applications, one for the primary and another for the election.

- Item 3. If the ballot is for a primary:

  — for a nonregistered specially qualified voter, the relative must mark a box to indicate the party whose ballot is requested.

  — for a specially qualified voter or a college student who is a registered voter but not enrolled in a party, one box should be marked to indicate the party whose ballot is requested. If the voter is enrolled in a party and a box is marked, check the party enrollment records to see if the voter is enrolled in that party.

  (see IV. E. PRIMARIES on page 400 for additional information related to processing primary applications)

- Item 4. A check mark should be entered in one of the five boxes under this item to show that the person is entitled to a kindred application as a specially qualified voter or as a college student.

  If the person is a student at a college outside of Massachusetts and a registered voter, but the parent making the application is not a registered voter in Massachusetts, he should mark the first box and enter "college student" after "state." Note that if the student at an out-of-state college is not a registered voter, the relative making the application must be a registered voter in Massachusetts.

If the third box is marked, the word "spouse" or "dependent" should be circled and the name of the service person entered on the line provided.

- Item 5. A check mark should be made in one of the boxes under this item to indicate the voting status of the person who is to receive the ballot. If not a registered voter, the place and date of birth should be entered. The name of your town should be entered on the line after "and eligible to vote in."

- Item 6. The relationship of the person making application to the person who is to receive the ballot should be entered on the line provided after "I am the." Note that for students in college in Massachusetts the relative must be a parent. [54:89A] For others, it may be any relative specified in 54:103B under the definition of "Kindred." [54:103D]

- Item 7. The relative must sign and date the application.

- Item 8. This item must be completed to show the address to which the ballot should be mailed. Check the address carefully to be sure that the person is entitled to an absentee ballot as a specially qualified voter (see IV. C. 2. on page 390). If a prisoner in Massachusetts, the address must be a correctional facility or he would not qualify for a kindred application. Note that the address for a college student does not need to be a dormitory. Many college students live in apartments off campus.

3. Applicant's Oath

If you find the application is in order, the following oath may be administered to the relative:

> Do you solemnly swear that the statements you have made in this application are true to the best of your knowledge and belief?

This oath may be administered by a registrar, by an assistant registrar or other employee in the office designated by the registrars to administer the oath, or by the town clerk acting as clerk to the board of registrars.

Note, however, that the application must be signed under the penalties of perjury and administering a verbal oath is not required. Be certain that the relative has signed the form under Item 7.

4. Process the Application

If possible, have the relative wait at the counter while you search for the person's name so that you may obtain additional information if necessary. (see IV. A. 3. Search for Applicant's Name on page 369 and IV. C. 3. Search for Applicant's or Family Member's Name on page 390) If the relative cannot wait, it is suggested that you obtain his telephone number and write it on the application.

a. registered voter

If the person who is to receive the ballot is a registered voter, or entitled to have his name returned to the voting list, follow the steps outlined under IV. A. 4. Certifiable Applications, a. through d. on pages 379-384 except that the name of the person to whom the ballot is to be sent must be entered in the registrars' certificate and the voting list should be marked SAV instead of AV under 4. b. [54:103G] The voter's name should be included along with other registered voters on the list of applicants and on the disposition sheet.

b. nonregistered specially qualified voter

If the person who is to receive the ballot is a nonregistered specially qualified voter, follow the steps outlined under IV. C. 4. Certifiable Applications on pages 391-394. Include the person's name along with other nonregistered specially qualified voters on the list of applicants and on the disposition sheet.

Note: Under either a. or b. above, the ballot may be challenged using the same procedures as outlined under A. 3. d. - applicant not in office on page 376.

5. Index

An index must be prepared including name of the person who is to receive the ballot and the place of his legal residence including street and number, if any, at the time the application is made. [54:103J; 1985:477] This index may consist of a card file. Type the required information on a separate card for each voter and file the cards alphabetically by name of voter. Other information, such as the relative's name and address, may be included for reference but is not required. The index shall be preserved as a public record. The index is not included in the state retention schedule but it should be kept at least as long as cast ballots are kept and until permission for disposal is obtained from the state supervisor of public records.

6. Rejected Application [54:103D,103J]

A kindred application may not be rejected except after an investigation. [54:103D] (see IV. C. 5. Rejected Applications on page 394) In addition, the relative who made the application must be given written notice and an opportunity to be heard. [54:103J]

The person for whom a rejected application was made should be permitted to mark an escrow ballot, if he wishes and in that case, the procedures outlined under A. 5. - ballot to be mailed on page 388 should be used.

7. Penalties [54:103J; 56:1,2,5,6,7,8,9]

Certain sections of chapter 56, G.L., prescribing penalties for offenses concerning the listing or registration of voters shall, so far as pertinent, apply to persons applying to qualify for voting under 54:103J. (see last sentence of 54:103J) Two of the sections of chapter 56 specified relate to penalties on registrars and assistant registrars. Other sections relate to the applicant or to the person on whose behalf the application is made. The penalties are as follows:

- on a registrar or assistant registrar who knowingly enters on any list of persons or causes or allows to be entered thereon or reports the name of any person as a resident of a building who is not a resident thereof: a fine of not more than $1,000.00 or imprisonment for not more than 1 year. [56:1]

- on a registrar or assistant registrar who knowingly prevents or seeks to prevent the registration of any legal voter, or who knowingly registers the name of any person not qualified to vote, or who is guilty of any fraud or corrupt conduct in the execution of the duties of his office: a fine of not more than $1,000.00 or imprisonment for not more than 1 year. [56:2]

  Note: As applied to 54:103J, the offenses outlined in 56:2 would be knowingly refusing to certify the application of a person entitled to an absentee ballot as a nonregistered specially qualified voter, or knowingly certifying an application of someone not entitled to an absentee ballot.

- on whoever knowingly gives to a registrar or assistant registrar, the name of any person as the resident of a building who is not a resident thereof; a fine of not more than $500.00 or imprisonment for not more than 6 months. [56:5]

- on whoever knowingly or willfully makes a false affidavit, takes a false oath, or signs a false certificate relative to the qualifications of any person for listing or registration; a fine of not more than $1,000.00 or imprisonment for not more than 1 year. [56:6]

- on whoever aids or abets a person knowingly or willfully making a false affidavit, taking a false oath, or signing a certificate relative to the qualifications of any person for listing or registration; a fine of not more than $1,000.00 or imprisonment for not more than 1 year. [56:7]

- on whoever causes or attempts to cause his name to be registered, knowing he is not a qualified voter in the place of such registration or attempted registration; on whoever registers or attempts to register under a name other than his own; on whoever represents or attempts to represent himself as some other person; on whoever gives a false answer to any registrar or assistant registrar respecting any matter relating to his registration or his right to vote; on whoever otherwise illegally registers or attempts to register; on whoever aids or abets any person in doing any of the acts above mentioned; a fine of not more than $1,000.00 or imprisonment for not more than 1 year. [56:8]

  Note: As applied to 54:103J, a person attempting to obtain an absentee ballot as a nonregistered specially qualified voter and to the relative who made the application under any of the circumstances outlined in 56:8 would be subject to the penalty.

- on whoever refuses to obey the lawful orders or directions of a registrar or assistant registrar or interrupts or disturbs the proceedings at any registration; a fine of not more than $100.00 or imprisonment for not more than 6 months. [56:9]

  Note: As applied to 54:103J, a person refusing to obey the registrar's orders or disturbs the proceedings while the application is being made would be subject to the penalty.

E. PRIMARIES [53:37A]

Applications for a primary may be made and processed in the same manner as applications for a general election, except that the party enrollment must be considered. The applicant should indicate on the application the party whose ballot he is requesting.

For registered voters, proceed as outlined under IV. A. on pages 363-388. If a kindred application is made, proceed as outlined under IV. D. on pages 394-400. In addition, you will need to compare the voter's party enrollment as shown on the lists with the party entered on the application. (see 1., 2., and 3. below)

For nonregistered specially qualified voters, proceed as outlined under IV. C. on pages 389-394. If a kindred application is made, proceed as outlined under IV. D. on pages 394-400. All nonregistered specially qualified voters should be considered unenrolled or independent voters.

In any case, a separate list of applicants and a separate disposition sheet may be prepared for each party but is not required. If separate lists or sheets are prepared, enter the name of the party in large letters at the top. If separate lists or sheets are not prepared, enter the party next to each applicant's name.

1. D or R on Voting List or Supplement next to Voter's Name

Voters having D next to their names on the voting list or supplement may receive only a Democratic ballot and voters having R next to their names on the voting list or supplement may receive only a Republican ballot even if, on the application, the voter neglected to designate a party or designated a party other than the one in which he is enrolled.

For a voter whose name is being returned to the voting list, his party enrollment is that in which he was enrolled immediately prior to being dropped from the voting list. [Regs. 51.03(5)(a), 52.03(5)(a), 54.03(6)(a)]

If, however, the party designated on the application is different from that appearing on the voting list or supplement, check the records further to see if the listed party is correct. (see ELECTION DAY, VII. C. PARTY ENROLLMENT ERRORS in Volume 4 of this series for procedures)

2. Unenrolled Voters, Including All Nonregistered Specially Qualified Voters

Unenrolled or independent voters and all nonregistered specially qualified voters may request either a Democratic or a Republican ballot. However, these applicants must designate on the application which ballot they request.

If an applicant is at your office and has neglected to designate the party, ask him to enter this information. If he is not at your office, you must contact him to obtain the information before a ballot can be sent. The applicant should send a written, signed statement designating the party and this statement should be attached to the original application.

If timing is critical, however, you may obtain the information by telephone, provided you talk directly with the voter himself. In this case, note on the application "Requested D[R] ballot, per tel. call [date]." Or, if it is not possible to call the voter himself, call a member of the voter's family asking him to have the voter call you. Obtain written confirmation from the voter, if possible, and attach it to the application when received.

3. Unenrolled or Nonregistered Specially Qualified Voters May Change Party Designation on Application

At any time before his ballot is processed by examining the affidavit on the inner ballot envelope, an unenrolled or nonregistered specially qualified voter may amend his application to request the ballot of the other party. The amendment must be made in writing, signed by the applicant. Attach the amendment to the original application. [53:37A]

If the application has already been processed and you have entered the party on the voting list or list of nonregistered specially qualified voters, appropriate changes will need to be made on these lists. If the ballot has already been sent, the voter will have to return it as a spoiled ballot before the amendment can be made and a new ballot sent. [54:89] (see VI. E. SPOILED BALLOT - REQUEST FOR SUBSTITUTE on page 419)

4. Enter Party Enrollment on Voting List

At some time before the polls close on the day of the primary, the appropriate party initial must be entered opposite the name of unenrolled voters on the voting list and supplements to be used at each polling place. 53:37A permits the party to be entered by the officers processing the ballot in the office, or by the officers charged with the casting of absentee ballots at the polling place.

In many towns, the party initial is entered at the time AV or SAV is entered when applications are processed. However, 53:37A specifically provides that unenrolled voters become enrolled in a party "only upon the processing of the ballot" under 54:94 by examining the affidavit on the inner ballot envelope, not upon applying for or returning a ballot.

Unenrolled voters whose ballots were processed become enrolled in a party and should be designated as D or R on the voting lists to be used at subsequent elections even if the ballot was rejected as defective unless the voter files a party change card.

On the other hand, unenrolled voters whose ballots were not processed because they were either not returned or were returned too late to be counted, should remain designated as unenrolled on the voting list to be used in subsequent elections. (see PREPARING ELECTION MATERIALS, V. VOTING LISTS, D. 6. on page 233 and AFTER ELECTION DAY, VIII. PROCESS PARTY CHANGES in Volume 4 of this series)

In some towns, party enrollment is not entered on the voting list and supplement until after the absentee ballot has been returned. In this case, the election officers at the polls will have to enter party enrollment for ballots received on election day at the time the name, address and party is announced at the check-in and check-out tables since the voting list and supplement are not available to be marked in the office on primary day.

In other towns, the election officers at the polls add the party initial on the voting list and supplements for all absentee ballots when the voters' names, etc. are announced. (see ELECTION DAY, XIII. PROCESSING ABSENTEE BALLOTS AT THE POLLS in Volume 4 of this series)

In any event, the party enrollment must be entered before the polls close since a count of the names marked as having voted must be made separately by party and the count should balance with the number of ballots cast. (see ELECTION DAY, XV. AFTER THE POLLS CLOSE, C. 1. in Volume 4 of this series)

5. Enter Party Enrollment on List of Nonregistered Specially Qualified Voters

The party enrollment for each nonregistered specially qualified voter must be entered on the list of such voters at some time prior to the close of the polls on primary day. The names marked on this list as having voted must be counted separately by party and the number in each party must be added to the number obtained from counting the voting list and supplement in order to obtain the balance with the number of ballots cast. (see ELECTION DAY, XV. AFTER THE POLLS CLOSE, C. 1. in Volume 4 of this series)

In many towns, party enrollment is entered on this list either at the time the application is processed or at the time the ballot is returned. In other towns, the party enrollment is entered by the election officers at the polls when the name, address and party is announced at the check-in and check-out tables.

Since the provisions of 53:37A with respect to the time an absentee voter is enrolled in the party do not apply to nonregistered specially qualified voters and the list of such voters is not processed after the primary, when the party is entered is not critical provided it is entered before the polls close.

V. ABSENTEE BALLOT ENVELOPES (see sample envelopes, pages 461-465)

The form for all ballot envelopes is prescribed by the state secretary. [54:103A,103F; 1983:445] Envelopes to be used in state primaries and elections and in presidential primaries are prepared and supplied to town clerks by the state secretary. [54:88,103E,103O]

Envelopes to be used in town preliminaries, primaries and elections are prepared and supplied by the town clerk. [54:103A,103E,103O] Envelopes for town elections are available commercially or you may have your own printer prepare them as long as the form complies with that prescribed by the state secretary. Note that the mailing envelopes should not be larger than those provided by the state or extra postage will be required. Check your envelope supply well before the town election to be certain you will have enough.

Note: If you have a supply of state envelopes left over from the last state election, these may be used in town elections.

Since there are several types of envelopes and it is essential that the correct envelopes be used for each voter, you may want to establish a voter classification system, particularly if you are processing a large number of applications. The classification, or its abbreviation, may be stamped or written on the application and on the return and mailing envelopes as well. If you do not wish or need to use a classification system because you have a relatively small number of applications, check each application carefully to be sure the correct envelopes are used.

A. VOTER CLASSIFICATION

The following classifications, based upon the types of envelopes to be used, are suggested.

- REGISTERED VOTERS [RV]: All registered voters not included in the 5 classifications listed immediately below.

- PERMANENTLY PHYSICALLY DISABLED [PPD]: Registered voters who have filed with the town clerk a certificate of permanent disability.

- MILITARY IN THE UNITED STATES [MRV]: Registered voters on active duty in the armed forces or merchant marine and their spouses and dependents anywhere in the U.S., but absent from your town.

- OVERSEAS VOTERS [ORV]: All registered voters who are outside of the United States, including military.

- VOTE IN PERSON [VIP]: All registered voters who vote in person at the town clerk's office.

- HEALTH CARE FACILITY VOTERS [HCF]: All registered voters in health care facilities to whom ballots are hand delivered instead of mailed.

....

- NONREGISTERED VOTERS [N-RV]: All nonregistered specially qualified voters, not included in the two classifications listed immediately below.

- NONREGISTERED MILITARY IN THE UNITED STATED [N-RM]: Nonregistered specially qualified voters on active duty in the armed forces or merchant marine and their spouses and dependents, anywhere in the U.S. but absent from your town.

- NONREGISTERED OVERSEAS [N-RO]: All nonregistered specially qualified voters outside of the United States, including military.

See chart on page 466 containing these classifications and the envelopes to be used for each.

B. TYPES OF ENVELOPES

There are several types of envelopes and the specific types to be used will depend upon whether or not the ballot is to be mailed and upon the classification of applicant. In the following, the numbers appearing on the envelopes prepared and furnished by the state will be given. The envelopes prepared by you for town elections, may be designated by the same numbers or by numbers of your choice.

1. Ballot to be Mailed

For each ballot to be mailed, you will need a set of three envelopes as follows:

- ballot envelope: printed with affidavits to be completed and signed by the voter and, in some cases, by a witness. Voter is to seal his ballot in this envelope after voting. [54:87(c)]

  R - code letter in upper left corner, state #AV7.

To be used by all registered voters including temporarily physically disabled and prisoners, unless entitled to a C envelope.

C - code letter in upper left corner, state #AV6.

To be used by registered voters who have filed a certificate of permanent disability with the town clerk and by all registered and nonregistered specially qualified voters outside of the United States. Alaska and Hawaii are not considered outside of the United States.

N - code letter in upper left corner, state #SAV11.

To be used by all nonregistered specially qualified voters, except those outside of the United States.

- return envelope: printed with spaces for voter's return and voting address and addressed to the city/town clerk. Voter to seal his R, C or N envelope containing his ballot in this envelope for mailing ballot back to the town clerk's office. [54:87(d)]

State #AV8 - white with green printing

To be used by all voters, unless entitled to postage free mail.

State #SAV8 - white with red printing

To be used by all voters entitled to postage free mail as follows: civilians outside of the United States; military or merchant marine personnel and their spouses or dependents within or outside of the United States.

Note: The postage free envelope is not required to be used. If used, it must be mailed at a United States post office, at an embassy or a military base.

- mailing envelopes: printed with spaces for return address of the town clerk's office and spaces for voter's mailing address. The ballot, ballot envelope and return envelope are to be sealed in this envelope for mailing to the voter.

State #AV11 - manila with green printing

To be used for all voters, unless entitled to postage free mail.

State #SAV7 - manila with red printing

To be used for all voters entitled to postage free mail (see above under #SAV8)

Note: This postage free envelope is not required to be used, but if used, will save your town the postage costs. For a November election, postage costs may be significant. Most town clerks use postage free envelopes whenever possible.

2. Ballot to be Voted at the Town Clerk's Office

For each ballot to be voted at the town clerk's office, you will need a set of two envelopes as follows:

- ballot envelope: printed with affidavits to be completed and signed by the voter and by a witness. Voter to seal his ballot in this envelope after voting. [54:87(c)]

  R - code letter in upper left corner, state #AV7. Box next to "Voted in office of city or town clerk or election commission" at bottom of right column to be checked.

- return envelope: printed with spaces for the voter's return address and voting address and addressed to the city/town clerk. The R envelope containing the ballot should be sealed in this envelope. [54:87(d)]

  State #AV8 - white with green printing.

3. Ballots to be Hand Delivered to Health Care Facilities

The envelopes to be used are the same as outlined under 2. above, except that on the R ballot envelope, the box next to "Delivered by above witness(es) to voters at health care facility" at bottom of right column should be checked. Note that a C ballot envelope should not be used even if the voter has filed a certificate of permanent disability since 54:92(c) and (d) require that the ballot be marked or punched in the presence of the official or relative who delivered it.

C. PREPARING ENVELOPES FOR USE

1. Early Preparation of Envelope Supply

A supply of envelopes to be used at the election may be prepared well before the ballots are received.

For ballots to be mailed, the name of your town and the zip code can be written or stamped as the mailing address on a supply of return envelopes and as the return address on a supply of mailing envelopes. If you have the envelopes for town elections printed rather than using commercially available envelopes, the printer may add the name of your town and the zip code on the envelopes and entering this information would not be necessary.

In addition, a supply of ballot envelopes containing the code letter R to be used by those voting in the office can be prepared by stamping or writing on the line after item 6. in the right column, the name of your town and Massachusetts. If those who usually witness over the counter voting all live in your town, the name of the town can also be stamped on the line after item. 4. The first box under "check if applicable:" can be checked. Also, the name of your town may be stamped on the line after item 4. in the left column.

A supply of ballot envelopes containing the code letter R to be used by registered voters in designated health care facilities can be prepared the same as those to be used by those voting in the office except that the second box under "Check if applicable:" at the bottom of the right column should be checked. Also, the name of the town can be entered on the line after item 4. in the right column since the witness(es) must be residents of your town in order to be registrars or assistant registrars.

Both return and mailing envelopes may be prepared by entering the voter classification on a supply for each class. A similar supply of return and mailing postage free envelopes may also be prepared. Note that only return envelopes would need to be stamped VIP or HCF since mailing envelopes are not used by these voters. Entering the voter classification on the envelopes is not required, but may assist you in being certain that the correct envelopes are used particularly if you receive a large number of applications.

After the envelopes have been prepared, they may be stored in boxes by type of envelope and if classifications are used, by voter classification as well. Write the type of envelope and classification in large letters on the front of each box.

2. Completing the Envelope Preparation: Ballots to be Mailed

The envelope preparation can be completed as soon as an application has been processed and found certifiable even though the ballots have not yet been received.

The following steps may be taken:

- look at the application to determine from the voter classification and the mailing address, the type of envelopes to be used.

- obtain from the envelope supply, a ballot envelope, return envelope and mailing envelope, making sure that the code letter or classification entered matches the classification on the application. Use postage free envelopes whenever possible.

- ballot envelope: Do not make any marks on the ballot envelope.

  Exception: If it is to be used for a primary, make an X in the box to the left of the appropriate party.

- return envelope: At the top left corner, enter the voter's name and the address to which the ballot is to be mailed. [54:87(d)] At the bottom left corner, enter the voting address and precinct.

  Primaries: If the envelope is to be used at a primary, you may write D or R as appropriate on this envelope. This notation will be needed when the affidavits are examined to be sure that the entries are made on the correct disposition sheet if a separate sheet for each party was prepared. It will also be needed by the election officers at the polls to be certain that the envelopes are properly separated by party before being sealed in the box for return to the town clerk's office. D or R may be entered at the time the ballot is returned from the voter and attached to his application instead of prior to mailing.

- mailing envelope: Enter the voter's name and the address to which the ballot is to be mailed on the appropriate lines. The return address of the town clerk's office should also be entered at the top left if this has not already been done.

- Check the information you have entered on each envelope against the application to be certain you have not made an error. In some towns, the envelopes are prepared by one person and then checked by another to help ensure accuracy.

- Keep the three envelopes together and if voting by precincts, file by precinct since the ballots will be printed with the precinct number. Each set of envelopes may be clipped to the related application. However, this is not necessary as long as you are easily able to find the application related to a given set of envelopes should the application need to be checked.

3. Completing the Envelope Preparation: Ballots to be Delivered to Health Care Facility

Preparation of the envelopes to be used with ballots to be delivered to a health care facility can also be completed as soon as an application has been processed and found certifiable. The steps to be taken are the same as outlined under 2. above, except that a mailing envelope is not needed.

Note: 54:92(c) provides that the voter is to enter his name, address and voting place on the return envelope after he has voted. However, if this information is entered at the town clerk's office prior to delivery or by the witness at the health care facility, the validity of the ballot and the election results will not be adversely affected. (see 54:97)

VI. BALLOTS

The absentee ballots to be used in state primaries and elections and in presidential primaries are prepared and supplied to the town clerk's office by the state secretary. [54:87(a),88] For punch card systems, except Datavote, the state secretary provides the absentee ballot booklets, punch cards and plastic foam backing. For Datavote, the punch card ballots are supplied.

Ballots to be used in town preliminaries, primaries and elections must be prepared by the town clerk. [54:103A] (see PREPARING ELECTION MATERIALS, I. BALLOTS on page 153)

A. RECEIPT OF BALLOT SUPPLY

Upon receipt of the ballots, check the front of the ballot to be certain that the name of the town, the date of the election and the precinct numbers are correct. Check the inside of the ballot to be certain that the candidates' names and addresses are correct. For state elections, check the ballot against the list, furnished by the state secretary, containing the names of candidates by districts. For town elections, check the ballot against the information you supplied to the printer. If you find any errors, immediately notify the Elections Division (727-2828; 1-800-462-8683) for state ballots, and your printer for town ballots. New corrected ballots will need to be furnished or printed as soon as possible.

Town election ballots should also be examined at this time to be certain the printing on each ballot is clear. If it is not clear, either on the outside or inside, the ballot should be removed from the supply to be used at the election and held separately in a clearly marked container. Be certain that these ballots are not used by mistake.

As soon as possible after the ballots have been received, they should be counted. Ballots supplied by the state secretary will be arranged in blocks of 50 in each box and will be separated by precinct. For primaries, ballots will also be separated by party. The number of ballots contained in each box will be indicated on the outside of the box and this number should be checked against your count of the ballots.

For town elections, the printer will deliver ballots in boxes or packages by precinct, or one box containing ballots for the town, depending upon how many ballots you have ordered. A careful count of these ballots should be made since printers usually do not provide the exact number ordered. A record of the number of ballots printed shall be made and kept by the town clerk for one year. [54:46]

After counting the ballots, it is suggested that you make a record of the total number of ballots received and the number received for each precinct, if applicable. You should keep track of all ballots as they are mailed, delivered, or voted at your office. At any given time, the sum of the number of ballots mailed, delivered, or voted in person and on hand should equal the total number received. The record may be kept on the box of ballots or you may make up a separate form for this purpose.

SAMPLE RECORD FOR BALLOTS RECEIVED AND USED

PRESIDENTIAL ELECTION: November 8, 1984

PRECINCT 1

DATE		# OF BALLOTS			
	RECEIVED	MAILED	VIP	HCF	ON HAND
OCT					
15	500				
16		42	10	20	428
17		103	25	0	300
18		60	8	10	232
19					
.					.
.					.
.					.

B. SECURITY FOR BALLOTS AFTER RECEIPT

All blank absentee ballots should be safely kept, either locked in your office and, if possible, in a fireproof file or in the vault. Security on these ballots is essential to ensure that a ballot is not improperly used and subsequently counted. During the day when your office is open to the public, ballots should be kept available to office personnel, but inaccessible to unauthorized persons.

After a voted absentee ballot has been received and filed in your office, maximum security is essential. (see VI. G. and H. on pages 421-424) The loss of a voted absentee ballot by theft, fire or other cause could have a very serious affect on the entire election. It might well result in a court case and a court order to hold a new election.

From time to time, you will be asked by the news media, school teachers and others for a sample of the ballot. In some towns, a photocopy of an absentee ballot or an extra specimen ballot is provided upon request. Providing an original blank absentee ballot is not recommended even if, to prevent its being counted by mistake, the word SAMPLE in large letters is written across the ballot using a red pen or pencil. You must be able to account for all absentee ballots after the election.

C. PREPARING BALLOTS FOR MAILING

To prepare ballots for mailing, the following steps may be taken:

- If you have already prepared envelopes as outlined in V. C. 1., 2. and 3. on pages 408-410, obtain a set of three. Check the precinct in the voting address on the envelope.

  If envelopes have not already been prepared, look at the voter classification and the precinct number, if any, on the application and prepare the correct envelopes.

- Obtain a ballot from the supply being sure that you obtain the ballot for the correct precinct.

  In punch card towns, except Datavote, you will need to obtain a punch card, a gray write-in envelope, an absentee ballot pamphlet, a plastic foam backing and a stylus for each ballot to be mailed. You will also need a copy of the absentee ballot instructions if these are not printed on the absentee ballot pamphlet.

  Note: In some towns using punch cards, a supply of punch cards is prepared well before the election by stapling them to the plastic foam backing. Also, a supply of styluses for absentee ballots is prepared well before the election by cutting large paper clips rather than using commercially available styluses. The stylus is pushed through the absentee ballot booklet to be certain it does not get misplaced.

  In Datavote towns, you will need the punch card ballot, which may be more than one card, one gray write-in envelope and a copy of the absentee ballot instructions.

  For primaries, you will also need to be sure you obtain the ballot of the correct party. For state and presidential primaries, Democratic ballots will be pink and Republican ballots will be blue. For town primaries, the color of the ballots is determined by the town clerk, a different color for each party. (see PREPARING ELECTION MATERIALS, I. BALLOTS on page 177)

- fold a paper ballot in half and place it, together with the ballot envelope and the return envelope, inside the mailing envelope. If punch cards, except Datavote, are used, place an absentee ballot pamphlet, punch card, gray write-in envelope, plastic foam backing, stylus, ballot envelope and return envelope inside the mailing envelope. If Datavote punch cards are used, place the punch card(s), one gray write-in envelope, ballot envelope, return envelope and the instructions in the mailing envelope.

Note: If the ballot is to be challenged, include the notice, etc. as outlined under IV. A. 3. d. - applicant not in office on page 376.

In some towns, a typewritten notice is also enclosed telling the voter to read the instructions on the back of the ballot before voting.

SAMPLE NOTICE TO VOTERS

PLEASE CAREFULLY READ AND FOLLOW THE INSTRUCTIONS PRINTED ON THE BACK OF YOUR BALLOT TO INSURE THAT YOUR BALLOT CAN BE COUNTED.

Note: In punch card towns, adjust the wording of the notice since the instructions are printed on the absentee ballot pamphlet or are enclosed.

- seal the mailing envelope and add the necessary postage unless postage free envelopes can be used.

  Ballots for town election usually require only the regular first class rate for mailing. However, ballots for a November election sometimes require extra postage due to weight. The amount of postage needed should be checked prior to mailing any ballots to be certain ballots are not returned for additional postage. In some cases, such a delay will make it impossible for the voter to receive and return his ballot in time for it to be counted.

  The ballots may be mailed either with other regular mail from your office or if timing is critical, you or one of your employees may take them to the post office.

- enter the number of ballots mailed each day on the record of ballots used. (see sample record on page 412)

  Note: The procedures to be used by a voter, including a specially qualified voter, who has received his ballot by mail are specified in 54:92(a). They are also outlined in the absentee voter instructions printed on the back of the ballot or to be enclosed in the mailing envelope. (see sample instructions in Chapter 4. PREPARING ELECTION MATERIALS, I. BALLOTS on page 174)

D. PREPARING/DELIVERING BALLOTS TO HEALTH CARE FACILITY [54:89(a),(c),92(c),(d); 1985:562]

1. Types of Health Care Facilities [54:89(a)]

Ballots may be hand delivered only to a health care facility as defined in 111:25B. Such facilities include the following:

- a hospital, institution for the care of unwed mothers or clinic as defined in 111:52;
- a long-term care facility, which is an infirmary maintained in a town, convalescent or nursing home, a rest home or a charitable home for the aged, as defined in 111:72;
- a clinical laboratory subject to licensing under Chapter 111D, any medical institution or institution for the mentally ill or retarded, supported in whole or in part by public funds, staffed by professional, medical and nursing personnel and providing medical care, in accordance with standards established through licensing, approval or certification for participation in the programs administered under Titles 18 and 19 of the Federal Social Security Act, by the Department of Public Health.

Not included in health care facilities to which ballots may be hand delivered is a facility operated by a religious group relying solely on spiritual means through prayer and healing and in which health care by or under the supervision of doctors of medicine, osteopathy or dentistry is not provided.

If you are in doubt about whether or not a facility is qualified under 54:89(a), contact your town counsel or the Elections Division. (727-2828; 1-800-462-8683)

2. Designated Health Care Facility [54:89(a)]

A health care facility, qualified as outlined in 1. above and located within your town, may be designated by the town clerk or by any two registrars for the purpose of supervised absent voting. The designation must be in writing and filed with the town clerk not later than 28 days before any primary or election.

Since the registrars or assistant registrars will be involved in the delivery of ballots to designated health care facilities, you may want to discuss with the board whether or not a facility in your town should be so designated. However, note that the town clerk is empowered by 54:89(a) to designate a facility without such a consultation. Also note that the designation may be made by any two registrars.

The law is not clear as to whether or not a facility, once designated, remains designated thereafter. It is suggested that to ensure compliance with 54:89(c), the designation be made before each primary or election at which supervised absent voting will take place.

SAMPLE DESIGNATION
(Letterhead paper)

> I hereby designate the Arborwood Manor Nursing Home located on 61 Main Street, Midtown for the purpose of supervised absent voting for the the election [primary] to be held on [date] under the provisions of Chapter 54, section 89(a), G. L.

____
Town Clerk

Date__________________

3. Other Health Care Facilities [54:89(c)]

Under certain circumstances, ballots may be hand delivered to a voter in a health care facility within or outside your town. The facility must be one included in the definition under 111:25B as outlined in 1. above. The voter must have been admitted to the facility after 12:00 noon of the 5th day before the relevant election and must so state under the penalty of perjury. The statement must be in writing signed by the voter.

The statement appears on the official application form AV2, after the third box under Item 4. (see sample on page 442) If the voter does not use the official application form, he should include a similar statement in his request for an absentee ballot. Note that the statement must be signed under the penalties of perjury.

In order to allow sufficient time for delivery and the return of the ballot, the statement should be filed with you not later than the day before the election. (see I. RECEIVING BALLOTS VOTED AT HEALTH CARE FACILITIES on page 425) If received separately from an application form or letter of request, the statement should be time stamped or the date and hour of receipt entered on it. Attach the statement to the application or letter. (see III. B. DEADLINE FOR FILING APPLICATION on page 357)

Note: If no statement is received, the ballot must be mailed the same as other mailed ballots. (see C. PREPARING BALLOTS FOR MAILING on page 413)

4. Preparing Ballots

Preparing ballots for delivery to a health care facility is the same as preparing them for mailing as outlined in C. on page 413, except as follows:

- only two envelopes are required, the ballot envelope and the return envelope, since ballots are hand carried to the facility.
- the ballot and other necessary materials are not required to be placed inside the return envelope for delivery to the voter. However, doing so will help ensure that each voter receives a complete set of the materials he needs and that his ballot envelope and return envelope are kept together. The return envelope should not be sealed at this time. Or, you may enclose and seal the complete set of material including the return envelope in a mailing or plain manila envelope. In that case, the voter's name should be written on the outside, particularly if registrars or assistant registrars are delivering a number of ballots to voters in a designated health care facility.
- if a large number of ballots are being delivered to a designated health care facility, they may be placed in a box before being given to the registrars or assistant registrars. A supply of pens or pencils may also be included.
- the following additional material may be provided for the official(s) delivering the ballots to a designated health care facility:
  - blank application forms in case a voter, who has not already made application, wishes to do so, unless the deadline for applications has already expired at the time ballots are delivered. The official should call the office to determine whether or not the application is certifiable before permitting the person to vote.
  - extra blank absentee ballots to be used in case a voter spoils a ballot and for voters who apply during the official's visit.

— extra sets of ballot and return envelopes for voters who apply during the official's visit.

5. Delivering Ballots

a. designated health care facility [54:92(c)]

Ballots must be hand delivered to a designated health care facility only by a registrar, by two assistant registrars or by two absent registration officers. (see 51:22 and 54:22A for appointment of assistant registrars and absent registration officers) If two assistant registrars or absent registration officers deliver the ballots, they must not be enrolled in the same political party.

Note: 54:89(b) specifically prohibits mailing ballots to a designated health care facility.

It is suggested that you contact the facility administrator or activities director prior to delivery to arrange a convenient time. For example, residents of some nursing homes are not usually ready to receive visitors until 10 A.M. or later.

After the ballot is delivered, the voter must mark or punch his ballot in the presence of the official(s) who delivered it and, unless a disabled voter requests assistance as provided in 54:98, of no other person. The official must be certain that the voter properly completes and signs his affidavit on the ballot envelope. The official must administer the oath, complete and sign the witness affidavit, including checking the second box under the "Check if applicable" at the bottom of his affidavit. The sealed ballot envelope containing the voted ballot must be sealed in the return envelope. The voter or the official should enter the voter's name, address and voting place on the envelope, if this has not already been done. The official must then return the voted ballot, sealed in the R ballot envelope and in the return envelope, in his custody to the town clerk's office.

b. other health care facility [54:92(d)]

A ballot may be hand delivered to a voter in any health care facility within or outside of your town, provided the required statement has been received. (see 3. Other Health Care Facilities on page 416)

The ballot may be delivered by the same official(s) as deliver ballots to a designated facility, or in the sole discretion of the town clerk, by a person who is kindred to the voter. Relatives who may deliver ballots are those specified in the definition of kindred in 54:103B.

If an official is delivering the ballot, he may take an extra blank ballot in case the voter spoils his first ballot. However, if a relative is delivering the ballot, he should not be given an extra blank ballot.

Note: Ballots hand delivered to any health care facility must be delivered not later than the day before the election. (see I. RECEIVING BALLOTS VOTED AT HEALTH CARE FACILITIES on page 425)

E. SPOILED BALLOT - REQUEST FOR SUBSTITUTE [54:81,89]

1. Mailed Ballots [54:89]

A voter who has received his ballot by mail and has spoiled it may be mailed a second ballot PROVIDED that:

- a request for the substitute ballot is made in writing and signed by the voter, AND
- the original ballot is returned to the town clerk's office, AND
- both the request and the ballot are received in the town clerk's office before noon of the day before the day of the election.

The following steps should be taken with respect to providing a substitute ballot:

- If possible, inform the voter that he should not use the return envelope provided with the original ballot to return it to the office unless he clearly indicates on the outside of the envelope that he is returning a spoiled ballot. Otherwise, you will not be aware that a substitute ballot is being requested until shortly before the election when absentee ballots are processed. (see VII. PROCESSING ABSENTEE BALLOTS on page 425) This may not provide enough time to get a new ballot to the voter.
- Upon receipt of the spoiled ballot, open the envelope to remove the ballot but do not unfold the ballot. Write SPOILED in large letters across the outside of the ballot. Place it in the spoiled ballot envelope and keep it in the office safe or in the vault. (see PREPARING ELECTION MATERIALS, III. ENVELOPES, B. 2. on page 212 and D. 1. on page 214) If, however, the ballot has

been sealed in a ballot envelope, write SPOILED on the outside of the envelope and place it in the manila spoiled ballot envelope. Do not open the ballot envelope unless you are uncertain that the ballot is inside.

- Attach the request for a substitute ballot to the original application.
- Obtain a new ballot or punch card and related material, as needed, and a set of envelopes, entering the required information on each envelope. Check carefully to be sure you have used the correct envelopes and the correct ballot. Mail the ballot and envelopes to the voter.

2. Voted in Person at Town Clerk's Office

If the voter makes a mistake on his ballot while voting in your office, he may obtain a new one by returning the spoiled ballot to you. Write SPOILED across the outside of the ballot and place in the manila envelope with other spoiled ballots. Give the voter a new ballot and allow him to vote. (see 54:31)

3. Voted in a Health Care Facility

If a voter voting in a designated health care facility spoils his ballot, he should return it to the registrar or assistant registrar who should mark SPOILED in large letters across the ballot. The voter should then be provided with a new ballot and allowed to vote. The registrar or assistant registrar should be certain that the spoiled ballot is returned to the town clerk's office.

If a voter voting in a non-designated health care facility spoils a ballot which has been hand delivered, he should return the ballot to the person who delivered it. If an official delivered the ballot, he should mark SPOILED on the ballot and give the voter a new ballot. The official should be certain to return the spoiled ballot to the town clerk's office along with the voted ballot.

If, however, the ballot was delivered by a relative, the relative should return it to the town clerk's office. Write SPOILED on the outside of the ballot. A new ballot may then be given to the relative for hand delivery to the voter.

In either case, place the spoiled ballot in the manila spoiled ballot envelope.

If the ballot was mailed to a voter in a non-designated health care facility, the procedures outlined in E. 1. Mailed Ballots on page 419 should be used.

F. LOST BALLOT

If a voter informs you that he has applied for a ballot to be mailed, but has not yet received it, proceed as follows:

- Obtain the voter's name, voting address, and precinct.

- Check the date the ballot was mailed shown either on the application or on the list of applicants.

  If the date of mailing indicates that the ballot is probably still in the mail on the way to voter, inform him that he should have the ballot in a few days. If he does not, he should contact your office again.

  If the date of mailing indicates that the ballot should have already reached the voter, you may inform him that a new ballot will be mailed immediately. In this case, the first ballot can be presumed lost in the mail.

- If a new ballot is being sent, follow the procedures outlined under VI. C. PREPARING BALLOTS FOR MAILING on page 413. However, mark D or Dup on the mailing and return envelope to show that a duplicate ballot was mailed in the event that the original ballot is also returned to your office.

  Note: For primaries, the D for duplicate on the envelope should be color coded to distinguish it from D for Democrat.

- On the application, on the list of applicants, and on the disposition sheet, enter the words "duplicate ballot mailed on [date]."

G. VOTING IN PERSON AT THE TOWN CLERK'S OFFICE [54:92,93]

After the voter's application has been completed, processed and certified or found certifiable, the following steps should be taken for voting by absentee ballot in your office:

Note: If the person wishes to vote in the town clerk's office, he must do so before the polls open on election day, unless he cannot vote at the polls because of disability. (see III. H. BALLOTS TO BE VOTED IN PERSON AT TOWN CLERK'S OFFICE on page 361)

- Ask the voter to come into your office, or into the area you have arranged for voting. In some towns, the town clerk sets up a voting booth in a convenient location in or near the office to provide privacy for the voter while marking his ballot. This is not required, and you may not have sufficient room for a paper ballot booth. You should, however, provide as much privacy as possible to preserve the voter's right to a secret ballot.

- Obtain a ballot or punch card and related materials from the supply of blank absentee ballots and material. Be certain you have obtained the ballot for the correct precinct and, if a primary, for the correct party.

- Obtain a ballot envelope with the code letter R (#AV7) and a return envelope (#AV8).

- In paper ballot and voting machine towns, give a paper ballot to the voter asking him to open it and show it to you so that you can both see that it is unmarked. In punch card towns, ask the voter to examine the punch card(s) in your presence so that you can both see that no holes have been punched.

  Note: If the ballot is to be challenged, the challenge may be made before the ballot is given to the voter. Use the procedures outlined under ELECTION DAY, IX. D. CHALLENGED BALLOTS in Volume 4 of this series, and under IV. A. 3. d. - applicant in office on page 375. However, if not challenged at that time, attach a note to the return envelope to inform the warden that the ballot should be challenged at the polls before being deposited in the ballot box. Include the reasons for challenge in the note.

- Give the R envelope to the voter instructing him to seal his ballot in this envelope after he has voted. Be sure that the voter knows that he must see you again before he leaves the office.

- Direct the voter to the voting booth, or area you have set up for voting.

- While he is voting, enter his name and voting address on a return envelope which may have been stamped with the VIP voter classification.

- After the voter has voted, check to be sure he has sealed his ballot in the R envelope. If he has not, ask him to do so. You should not seal this envelope for him, unless he is prevented by physical disability from doing so.

- Ask the voter to complete and sign his affidavits on the R envelope and check to be sure he has done so.

- Administer the following oath to the voter:

> Do you solemnly swear that the statement
> you have signed is true to the best of
> your knowledge and belief?

- Complete and sign the witness affidavit in the right column on the R envelope. Make a check mark in the box next to "Voted in office of city or town clerk or election commission." Note that the ballot may be witnessed by the town clerk or by any other qualified witness. [54:92(b); 1985: 562] If, however, the voter is voting during the same visit in which he made application, the town clerk, the assistant town clerk, a registrar or assistant registrar must remain present and should witness the ballot. [54:91; 1985:113] In any case, the witness should be careful not to influence the voter to vote for or against any person, political party or ballot question.

- Ask the voter to seal the completed R envelope containing his ballot in the return envelope.

- Time stamp the return envelope.

- Attach the return envelope containing the ballot to the application and file them with the ballots received by mail. (see H. RECEIVING VOTED BALLOTS BY MAIL below)

- Enter the name and address and the date voted on the list of applicants (see IV. A. 4. c. list of certified applicants on page 382) Enter the same information on the absentee ballot disposition sheet. (see IV. A. 4. d. absentee ballot disposition sheet on page 383)

- Enter the number of VIP ballots used during the day on the record of ballots used.

H. RECEIVING VOTED BALLOTS BY MAIL

1. Mailed Ballots Must be Returned by Mail [54:92(a)]

Under no circumstances may a ballot mailed to a voter be returned by any means other than by mail or a private mail service such as UPS. If a person attempts to hand deliver a voter's ballot to your office, instruct him to take it to the nearest post office. If this happens on election day, inform the person that someone from your office will pick up the mail at the post office periodically throughout the day so that the ballot will be received. If you have more than one post office in your town, be sure to inform the person which post office will be checked.

Note: Wardens and other election officers should be instructed not to accept ballots by hand delivery at the polls on election day, except those delivered by you or by someone authorized by you. Wardens should also give the appropriate instructions concerning taking ballots to the post office.

2. Deadline for Returning Ballots [54:93,99; 1984:241; 1985:562]

A ballot must be received at the town clerk's office no later than close of the polls on the day of the election in order to be counted. [54:93; 1985:562]

Exception: For November state elections only, ballots received within 10 days following the election from a location outside of the United States shall be processed and counted, provided the ballot was mailed on or before the day of the election. [54:99; 1984:241] (see AFTER ELECTION DAY, II. ABSENTEE BALLOTS RECEIVED LATE in Volume 4 of this series)

Ballots received too late to be counted must not be opened or examined at any time. They must be kept for the same period as counted ballots. [54:99] (see AFTER ELECTION DAY, XII. RETAINING ELECTION MATERIAL in Volume 4 of this series)

3. Procedures

The following steps should be taken upon receipt of a ballot by mail:

- time stamp the ballot envelope;

- if the post mark is missing or illegible, note on the envelope "received in regular mail delivery [UPS, etc.] on [date]" and add your initials;

- obtain the voter's application from the file and staple or clip the envelope to the application. If stapled, first shake the envelope so that the enclosed ballot envelope is at the flap end of the return envelope. Then staple at the other end being careful that the ballot envelope is not also stapled. This will make processing much easier since the staple will not need to be removed to obtain the ballot envelope;

- if a primary, mark D or R on the envelope if this has not already been done;

- on the list of certified applicants, enter the date received. On the disposition sheet for the correct precinct, enter the date of receipt or make a check mark in red in the box to the left of the voter's name to indicate that the ballot has been returned. Note that there may be two sets of disposition sheets, one for registered voters and another for nonregistered specially qualified voters. Also, disposition sheets may have been separated by party.

Note: Making the check mark or entering the date of receipt on the disposition sheet is not required, but may assist you in keeping track of ballots returned.

- File the ballot and the application in the order in which the voters' names appear on the absentee ballot disposition sheet. File ballots and applications of nonregistered specially qualified voters separately from those of registered voters. (see VII. PROCESSING ABSENTEE BALLOTS below)

I. RECEIVING BALLOTS VOTED AT HEALTH CARE FACILITIES [54:92(c),93; 1985:562]

Ballots hand delivered to a health care facility should be returned to the town clerk's office after the voters have voted by the same person or persons who delivered them. [54:92(c)] (see VI. D. PREPARING/DELIVERING BALLOTS TO HEALTH CARE FACILITIES on page 415)

The voted ballot must be received at the town clerk's office not later than the day before the day of the election. [54:93]

Upon receipt in your office, the procedures are the same as for receiving a ballot by mail outlined under H. 3. above, except that no postmark would appear on the return envelope and only ballots from registered voters could be received.

VII. PROCESSING ABSENTEE BALLOTS [54:94; 1985:477,562,599]

A. GENERAL

The town clerk or someone designated by the town clerk must process the absentee ballots returned before election day by comparing the voter's signature on the ballot envelope with his signature on the application and by examining the voter's and witness's affidavits on the ballot envelope. The process cannot be started earlier than 3 days preceding an election. [54:94; 1985: 562]

Ballots received on election day must be processed in the office of the registrars. [54:95; 1985:477] However, since the registars' office is usually the same as the town clerk's office and the town clerk is a member of the board of registrars, the procedures for processing are the same as for ballots received before election day.

No later than one week prior to the date of the election, observers may be appointed by the chairman of the town committees. While not required by law, some town clerks notify the town committee chairman of this provision two or three weeks prior to the election. If appointed, these observers must be allowed to be present while ballots are being processed. Candidates or their representatives may also be present while ballots are being processed.

Ballots must be processed in public, but they may not be challenged at that time. Challenges are made at the polls when the voter's name and address is announced at the check-in or check-out table. (see ELECTION DAY, IX. D. CHALLENGED BALLOTS in Volume 4 of this series) Or, under certain circumstances, the ballot is challenged in the office just before the voter votes. (see IV. A. 3. d. - applicant in office on page 375)

B. GUIDELINES FOR ACCEPTING OR REJECTING ABSENTEE BALLOTS

For each absentee ballot, you will need to decide whether to accept it as a ballot to be cast or to reject it as defective. A ballot cannot be left in a doubtful category. When making your decision, keep in mind that once a ballot is cast at the polls, it cannot be separated from other ballots unless it was challenged at that time. Should a serious question be raised about the affidavits on the ballot envelope during a recount and the election taken to court, there will be no way to determine which ballot may be questionable. If in doubt, reject the ballot, or attach a note to inform the warden that he should challenge it before depositing it in the ballot box, so that the final decision can be made at a later time.

Note: If your town has an election commission, it is that commission's responsibility to accept or reject absentee ballots.

The following guidelines may be used in making your decision.

1. Accepted Ballots

Absentee ballots should be accepted if both the voter's and the witness's affidavit are in order. They should also be accepted if any additions, omissions or irregularities appearing in these affidavits are immaterial. [54:97,103Q] Immaterial irregularities would include the following:

- voter added or omitted his middle name or initial in his signature on the affidavit or on his application

- voter failed to fill in the blanks in his affidavit, but signed it

- witness's signature cannot be read (see McCavitt v. Reg. of Voters (1982) 385 Mass. 833)

- witness failed to fill in the blanks in his affidavit, but signed it

- if a voter encloses a properly executed inner ballot envelope but forgets to put the ballot in it, you may seal the ballot in the envelope and accept it. Or, if the voter simply forgets to seal the ballot envelope, you may seal it and accept the ballot provided it is otherwise acceptable. Sometimes, if two voters are voting by absentee ballot at the same time and place, the inner ballot envelope is sealed in the wrong return envelope by mistake. In such a case, you may accept the ballots if the affidavits are in order and place the inner ballot envelopes in the correct return envelope while processing them. In any of the above cases, make and sign a note of the event and either attach it to the return envelope or place it in the election file.

2. Rejected Ballots

An absentee ballot must be rejected if

- the ballot is returned without the ballot envelope containing the affidavit(s)

- the voter has not signed the affidavit. [54:92]

Exceptions:

1) If the voter is unable to sign his name, the witness should sign the voter's name and add a statement that the voter is unable to write and giving the reasons. [54:98,103E] If, however, such a statement is missing, the ballot can be accepted.

2) The voter has made his mark (usually an "X") and it is witnessed, the ballot can be accepted.

- the ballot envelope was obviously signed by someone other than the voter and there is nothing to indicate that he is unable to write. In this case, it is suggested that you compare the voter's signature on the envelope and on his application with the signature on his affidavit of registration. This comparison may help decide the question, but remember that you are not a handwriting expert and that an individual's signature may change over the years or will appear somewhat different if he has developed some physical disability since he signed his affidavit of registration.

- a required witness's affidavit has not been signed. [54:94]

- the person signing the witness's affidavit is not authorized to do so because he is not 18 years of age. If the witness is personally known to you and you doubt that he is 18 years of age, the ballot should be accepted but you should add a note on the return envelope to inform the warden that he should challenge the ballot before depositing it in the ballot box.

- the person signing the witness's affidavit is a candidate for any office at that election even though his name does not appear on the ballot he witnessed. [54:92(e); 385 Mass. 833]

  Exception: The ballot can be accepted if it was voted in the office and witnessed by the town clerk even if the town clerk is a candidate. [54:92(e)]

- the ballot was not marked in the presence of the witness if a witness was required. (see Desjourdy v. Reg. of Voters (1971) 358 Mass. 644) However, if the witness has signed the affidavit, you would probably have no way of knowing that he was not present at the time the ballot was marked.

  Note: Ballots delivered to a designated health care facility must be witnessed by the official who delivered them.

C. PROCEDURES

1. Examining the Ballot Envelopes

The following steps should be taken to process absentee ballots:

- obtain the ballots and applications. In towns voting by precinct, obtain the ballots and the applications for the precinct to be processed. Ballots may be processed in any order, but time will be saved if they are arranged and processed in the order in which the voters' names appear on the disposition sheets. Note that there will be a separate disposition sheet for nonregistered specially qualified voters and may be a separate sheet for each party if a primary.

- obtain the appropriate disposition sheet. If voting by precincts, be certain you obtain the disposition sheet for the correct precinct.

- in some towns, the ballot is separated from the application at this time. In other towns, it is not separated until the ballot is processed at the polls. (see ELECTION DAY, XIII. PROCESSING ABSENTEE BALLOTS AT THE POLLS in Volume 4 of this series)

- open the return envelope and remove the inner ballot envelope. Do not open the inner ballot envelope.

- compare the voter's signature on the ballot envelope with his signature on the application. The two signatures should appear to have been made by the same person. If in doubt, ask someone else to look at the signatures.

  Note: The signature comparison cannot be made if

  1) the voter was unable to sign his name. In this case, the witness or if no witness is required, the person assisting the voter will have signed the voter's name. [54:98,103E]

  2) a "kindred" application was filed. In this case, the ballot envelope will have been signed by the voter and the application will have been signed by the voter's relative. [54:89A,103D,103J]

- examine the witness's affidavit on the ballot envelope. This should have been completed and signed by the witness.

  Exceptions: A witness's affidavit is not required for a permanently physically disabled voter who has filed a certificate of permanent disability and has received his ballot by mail or for a registered voter or a nonregistered specially qualified voter outside of the United States. The C inner ballot envelope is used and does not contain a witness's affidavit.

  Note: For VIP voters, if you, your assistant or other employee in your office forgot to sign the required affidavit at the time the ballot was voted, it may be signed at the time you process the ballot. It should be signed by the person who actually witnessed the ballot, however.

- If the signatures and affidavits are in order, accept the ballot and make a check mark or X in red on the disposition sheet in the box to the right of the voter's name in the column entitled BALLOT CAST. Put the ballot envelope back into the return envelope. (see 2. Accepted Ballots below for additional procedures)

- If the ballot can be accepted but the word CHALLENGE was entered on the application, check the return envelope to determine whether or not the requested forms or copy of ID were returned. If so, note on the application, that the requested document was received. If you do not find the requested forms or ID, attach a note to the return envelope informing the warden to challenge the ballot before depositing it in the ballot box. Include the reason for challenge. (see IV. A. 3. d. on pages 375-377)

- If the ballot must be rejected (see VII. B. 2. Rejected Ballots on page 427), write REJECTED AS DEFECTIVE in red on the return envelope and make a check mark or X in red on the disposition sheet in the box to the right of the voter's name in the column entitled REJECTED AS DEFECTIVE.

  Put the rejected ballot back in the return envelope and keep the ballot and its related application together. These should be kept separate from accepted ballots and their applications.

- If you are in doubt about whether or not a ballot is acceptable, ask someone else to look at it. If there is still doubt, reject the ballot or obtain advice from the Elections Division 727-2828, 1-800-462-8683.

When all absentee ballots (for the precinct, if voting by precinct) have been examined, accepted or rejected, proceed as outlined below.

2. Accepted Ballots

Accepted ballots must be transmitted to the polls not later than one hour after the polls close. To ensure that they arrive safely, they should be sealed in a container.

Note: In some towns, ballots are transmitted to the polls attached to their related applications. In other towns, ballots are transmitted separately from their applications.

Ballots may be sealed in the fibreboard box with other election materials being sent to the polls if there is room. You may first seal them in a clearly marked envelope (see sample below), or simply put an elastic around them to keep them together in the box.

If you have a large number of ballots, you may need to send them to the polls in a separate sealed container. The container may be a large manila envelope or a separate box and should be clearly labelled. If your town is voting by precincts, you will need a separate envelope or box for each precinct.

If the election officers mark the voting lists at the polls to show that the ballot was cast, it is suggested that you arrange the ballots in the order in which the names appear on the lists to be marked, grouping them by those on the main printed voting list, the supplementary list, if any, and by the list of nonregistered specially qualified voters. Each group may be placed in a separate envelope.

On the outside of the envelope or box, enter the type and date of the election, the precinct number, if any, the polling place location and enter the number of absentee ballots enclosed.

SAMPLE ENVELOPE OR BOX LABEL

ABSENTEE BALLOTS

Presidential Election
November 6, 1984

Precinct 1
Center School

No. of Ballots: 63

Carefully check the number of ballots enclosed to be certain you have entered the correct number on the label. Also check to be sure the precinct number on the label is the same as that on the ballot envelopes enclosed.

In many towns, a receipt form is used. The warden should sign and return the receipt to the town clerk to show that he has received the ballots. The following form may be used:

SAMPLE RECEIPT FOR ABSENTEE BALLOTS

Date November 6, 1984

This certifies that I have this day received at the polling place in Precinct 1, prior to 9:00 P.M., [one hour after polls close] a package containing 63 absentee ballots properly sealed, the ballots to be cast at the election held this day in this precinct.

Warden ______________________________
(signature)

WARDEN: Sign this receipt and return it to the person who has delivered the absentee ballots.

Be certain that the number of ballots entered on the receipt form is the same as that entered on the envelope or box label and is the number of ballots enclosed.

The receipt form may be stapled or taped to the container in which you transmit the absentee ballots. If you need more than one container for absentee ballots, attach a receipt form to each container. The police officer or other person who delivers the absentee ballots to the polls on election day should obtain the receipt from the warden and bring it back to you. Or, it should be returned on election night in the envelope with the tally sheets or election record.

3. Rejected Ballots

Rejected ballots should be filed with their related applications preferably in the office safe or the vault. In some towns, these ballots are sent to the polls on election day but if so, they should be clearly marked so that they are not deposited in the ballot box by mistake. In any event, they should be safely kept since the envelopes of rejected ballots must be examined by the registrars during a recount if one is held after the election. (see AFTER ELECTION DAY, XI. RECOUNTS in Volume 4 of this series)

4. Notice to Voters Whose Ballots were Rejected [54:94] (see sample form notice on page 467)

The town clerk must send a notice, in a form prescribed by the state secretary, to each voter whose ballot was rejected. The notice should be sent as soon as possible after the ballot was processed and must include the reasons for rejection.

The form provided by the state secretary may be used or a notice in the same format may be typed on your letterhead. If the form is used, it is suggested that you add your office address and telephone number so that the voter may contact you if he has questions concerning why his ballot was rejected.

Note: There is no provision in the General Laws for permitting a voter to make a correction in his affidavit even though he may be available and there is time to do so before an election.

5. Marking the Voting List and List of Nonregistered Voters [54:94]

a. accepted ballots

54:94 provides that the name of each voter whose absentee ballot has been accepted must be checked on the voting list or on the list of nonregistered voters to be used at the polls. This check would usually be the same kind of mark as is used by the election officers at the polls. In most towns, a line is drawn next to the voter's name, but in some towns a check mark is used. (see ELECTION DAY, IV., A. CHECKING IN VOTERS, 1. b. in Volume 4 of this series)

In some towns, the voter's name is checked at the time the ballot is received, or immediately after the ballot is processed as required by 54:94. In other towns, the voter's name is checked at the polls by the election officers as provided by the Regulations 51.03(27)(d), 52.03 (22)(d), 54.03(27)(d). Either method may be used.

Note that AV and SAV must be entered on the voting list before it is sent to the polls on election day so that the election officers will know which voters have applied for absentee ballots. (see IV. A. 4. b. marking AV on the voting list on page 381) If the voter whose absentee ballot has been accepted is also checked before the list is sent to the polls, the election officers will be able to tell a voter who appears in person that his absentee ballot has already been processed and that he cannot now vote in person. This information may avoid a warden's call to the office and may save the voter a trip to town hall.

In any event, the election officers will need to check the voting list at the polls for ballots received and transmitted to the polls on election day.

In some towns, the voting list is checked for absentee voters using a different color from that to be used by the election officers to check in voters on election day. The election officers will be able to see which voters have voted by absentee ballot more easily. This may assist them in counting the checked voting list and balancing the count with the number of ballots cast. (see ELECTION DAY, XV. AFTER THE POLLS CLOSE, C. 1. in Volume 4 of this series)

b. rejected ballots [54:94]

The capital letter R must be entered on the voting list or the list of nonregistered specially qualified voters to be used at the polls opposite the name of each person whose absentee ballot was rejected.

If rejected ballots are not transmitted to the polls, you will need to enter the R at your office for those ballots received before election day. You will also need to inform the warden of any ballots received on election day which were rejected. The warden should mark R on the list(s) opposite the names of these voters.

In some towns, the R is entered using a different color from that used by the election officers in checking in the voters on election day. Using a different color will be particularly important at a primary when the election officers must enter R on the voting list to indicate that an unenrolled voter chose a Republican ballot. In addition, R should be entered in a different location from that used by the election officers for entering the party initial in a primary.

VIII. VOTING IN PERSON AT THE POLLS AFTER ABSENTEE BALLOT MAILED

[54:100; Regs. 950 CMR 51.03(28), 52.03(23), 54.03(28)]

A person to whom an absentee ballot has been mailed or delivered, and opposite whose names the letters AV or SAV have been placed on the voting list, or on his certificate of supplementary registration, shall not be permitted to vote in person on election day unless he first obtains a certificate from the town clerk. Such a certificate may be issued only to a voter whose ballot has not yet been processed by examining the affidavit(s) on the inner ballot envelope.

See ELECTION DAY, VIII. AV OR SAV MARKED ON THE VOTING LIST in Volume 4 of this series.

IX. PARTIAL BALLOT (PRESIDENT/VICE PRESIDENT ONLY)

[51:1F; 1979/1980 Op AG No.3]

For November presidential elections only, a partial ballot will be prepared and supplied to town clerks by the state secretary. This ballot contains only the office of president/vice-president.

Since there are usually so few applications for partial ballots, the ballots are not automatically sent to town clerks along with regular ballots. If you receive completed applications from persons qualifying for the a partial ballot, you must notify the Elections Division, Room 1705, One Ashburton Place, Boston 02108 in order to receive the ballots. Notice by telephone is sufficient. (727-2828; 1-800-462-8683)

A. WHO MAY VOTE BY PARTIAL BALLOT

To be eligible to vote by partial ballot, an individual must be a United States citizen, at least 18 years old by election day and a resident of your town. He must make a written signed application and have been absent from your town at the time registration closed for the presidential election.

Usually partial ballot voters will be students at colleges in Massachusetts who neither registered in your town prior to leaving for college, nor registered in their college community. However, a resident of your town temporarily employed in another Massachusetts community and unable to register prior to the close of registration would also be eligible for a partial ballot.

A partial ballot voter is not required to be absent from the town on election day.

Note: Ordinarily there will be a relatively small number of partial ballot voters since nonregistered residents of your town outside of Massachusetts are entitled to a regular absentee ballot as nonregistered specially qualified voters. [54:103B] (see II. B. on page 355 and IV. C. on page 389)

B. APPLICATION FOR PARTIAL BALLOT

1. Form

There is no official application form for a partial ballot. An application may be any form of written communication but it must contain the applicant's name, age, citizenship and his present and former address.

If the applicant requests that a ballot be mailed, he must also include the address to which it should be sent. He may apply to vote in person by partial ballot at your office, but may not vote by partial ballot at the polling place on election day.

Some town clerks have prepared an application form for use by partial ballot voters.

SAMPLE PARTIAL BALLOT APPLICATION

Date________________

To: Town Clerk
[name of town], MA [zip code]

I hereby make application for a partial ballot to vote for president and vice-president at the election of November [date]. I provide the following information as required by law:

Age:______________

Present Residence:____________________________
____

Former Residence:_____________________________
____

Citizenship:________________________________

Check and complete one:

_____Mail ballot to:__________________________
____

_____I plan to vote in the office of the town clerk and will be in [name of town] on ____________ (date)

Signed under the penalties of perjury.

Signature________________________

Print Name_______________________

2. Deadline for Application

Application for a partial ballot must be received by the town clerk on or before 10 P.M. on the 28th day (close of registration) prior to a presidential election. [1979/1980 Op AG, No. 3]

C. PROCESSING APPLICATIONS

To process an application, follow the steps outlined below.

1. Time Stamp the Application

2. Check Information

Check the information shown in the sample above. If information is missing, it can be supplied from your records whenever possible. If necessary, it may be obtained by telephone. (see IV. A. 2. on pages 363-369) Be certain that the application has been signed.

3. Search for Applicant's Name

You will need to determine whether or not the applicant is currently a resident of your town. Since you will not have found his name on any of the references showing registered voters, you will need to search the most recent street list and census records.

If you find the applicant's name, make a note on the application, "[year] Street List" or "[year] Census Report." If, however, you do not find the name, a further investigation should be made since he may have been missed in the most recent census or he may have moved to your town after the census was completed. The investigation may consist of sending someone to the address in your town shown on the application or a telephone call to the applicant's family, if possible.

Note that, if you are in doubt that the person is qualified for a partial ballot, the ballot may be challenged the same as other ballots. (see IV. A. 3. d. dropped voter list on page 374)

D. CERTIFIABLE APPLICATIONS

1. Certification

Each application must be certified by having at least three members of the board of registrars sign, or the registrars' signatures stamped, on a statement that the applicant is eligible to vote in your town for president/vice-president under 51:1F, G.L. A precinct number does not need to be included in the statement. The statement may be added on the form shown in the sample application on page 436.

SAMPLE CERTIFICATE

APPLICANT: DO NOT WRITE IN THIS SECTION

We, a majority of the Registrars of Voters, certify that the above signature, to the best of our knowledge and belief, appears to be genuine and that we believe this applicant is qualified to vote in this town for the office of president/vice-president under the provisions of Chapter 51, section 1F, G.L.

____
____
____
____
Registrars of Voters of [name of town]

2. List of Applicants

A list of applicants whose applications were certified must be prepared and is needed in order to mark the names of those who return ballots. It should also be kept as part of the election record. It is suggested that you post a copy of the list where the list of applicants for regular ballots is posted.

The list does not need to be sent to the polls since all partial ballots are counted in the office.

3. Absentee Ballot Disposition Sheet

You will need to prepare an absentee ballot disposition sheet separate from that prepared for registered voters or for nonregistered specially qualified voters. Use form A.V.20A but mark PARTIAL in large letters at the top and take care that it does not become confused with the disposition sheet for other nonregistered voters. (see IV. C. 4. c. absentee ballot disposition sheets on page 393)

4. Filing Applications

Applications for the partial ballot should be filed separately from other applications.

E. REJECTED APPLICATIONS

If an application must be rejected, a written notice should be sent to the applicant. You should, however, first make every effort to obtain additional information which might allow the application to be accepted. Note that the provisions for escrow ballots apply to partial ballot voters the same as other voters if the application must be rejected. (see IV. A. 5. Rejected Applications on page 385)

F. ENVELOPES FOR PARTIAL BALLOTS

Special envelopes for partial ballots are not prepared or supplied by the state secretary. You should use the envelopes prepared and supplied for regular absentee ballots as follows:

1. Ballots to be Mailed

- ballot envelope: Code letter N (#SAV11)

  Since all partial ballot voters are nonregistered, this envelope should be used even though the voter's affidavit does not exactly fit the situation.

  The voter does not need to check any of the boxes in the left column on the envelope.

- return envelope: State #AV8

- mailing envelope: State #AV11

2. Ballots Voted at Town Clerk's Office

- ballot envelope: Code letter R (#AV7)

  Since partial ballot voters are nonregistered, cross out the words "I am a registered voter in Massachusetts at" in the voter's affidavit.

- return envelope: State #AV8

3. Preparing the Envelopes for Use

All envelopes, including the N and R envelopes may be stamped with the voter classification. The classification PARTIAL may be used if the ballot is to be mailed and the classification PARTIAL-VIP may be used if the person is to vote at your office.

For ballots to be mailed, the return and mailing envelopes should be prepared as outlined under V. C. PREPARING ENVELOPES FOR USE on page 408. For ballots to be voted at the town clerk's office, follow the procedures outlined under VI. G. VOTING IN PERSON AT THE TOWN CLERK'S OFFICE on pages 421-423)

G. PARTIAL BALLOTS

The procedures outlined under VI. and VII. on pages 410-433 can be used for the most part. However, the following differences should be noted.

1. Preparing the Ballots

Since the partial ballot will be the same for all cities and towns in the state, regardless of the type of voting system used, the name of your town will not be printed on the ballots when you receive them. You will need to stamp or write the name of your town on the outside of each ballot before it is mailed or voted at the town clerk's office.

There is no need to add the precinct number since all partial ballots will be processed and counted at the office and votes for the candidates added only to the total town vote for president/vice-president.

2. Voting at the Town Clerk's Office

A partial ballot applicant may be allowed to vote at the town clerk's office on election day itself as well as before that day. Note however, that his application must have been filed by the close of registration. The procedures for voting in your office would be the same as outlined for VI. G. VOTING IN PERSON AT THE TOWN CLERK'S OFFICE on pages 421-423.

3. Filing Ballots

Partial ballots returned by mail or voted at the town clerk's office and the related applications should be filed separately from the regular absentee ballots and applications. They should not be filed by precinct.

4. Processing Ballots

Processed ballots are not transmitted to the polling places but are all counted in the office.

X. RETENTION PERIOD FOR ABSENTEE BALLOT MATERIALS

See AFTER ELECTION DAY, XII. RETAINING ELECTION MATERIAL in Volume 4 of this series.

SAMPLE APPLICATION - AV2

Commonwealth of Massachusetts
Office of the Secretary of State
Michael J. Connolly, Secretary

Application for an
ABSENTEE BALLOT

Instructions

- Fill out and sign **only** if you are unable to vote at the polls on election day because of
  - absence from your city or town during the hours the polls are open
  - physical disability, or
  - religious belief
- You must **sign** your application. If you are disabled, sign twice: sign at Number 2 and at Number 6
- Return this application to the City or Town Clerk or Election Commissioners of your voting community. It must be received by **noon of the day before election day.**
- **Warning: Apply early for a mailed ballot.** These ballots must go through the mail twice — out to the voter and back to the Clerk — and be received by election day to be counted. **Note:** instead of having your ballot mailed to you, you may vote at your city or town hall at a time arranged with the Clerk.

Illegal absentee voting, including making a false application, is punishable by a fine of up to $500 and up to a year in prison.

1. I apply for an absentee ballot for the *(check one)* ☐ primary ☐ election.

2. If ballot is for a primary, check party whose ballot is requested. ☐ Democratic ☐ Republican

Sign Here ______________________ ______________________
Signature *Print name here*

3. My legal voting residence is ______________________
Street and number, city or town, ward and precinct (if known)

4. Check and complete one: ☐ Mail absentee ballot to: ______________________
Street and number, city or town, state or country, zip code

☐ I will call for the ballot at the office of the City or Town Clerk or Election Commissioners and vote in that office at a time arranged with the Clerk or Election Commissioners

☐ I have been admitted to ______________, a hospital or other health care facility, after noon of the fifth day before the election, and I request that my absentee ballot be delivered to me by an election official or by

______________, my ______________________
Name *Relation, must be spouse, parent, brother, sister, uncle, aunt, niece or nep*

I make this statement under the penalty of perjury.

5. Check and complete one: ☐ I am a registered voter in ______________
City or town

☐ I am a non-registered Massachusetts citizen absent from the state; or in the active service of the armed forces or merchant marine or a spouse or dependent of such a person; or a prisoner

My legal residence is (if outside the United States, my last residence in the United States was): ______________________
Street and number, city or town

6. **If disabled,** complete this section and sign: I will be unable by reason of physical disability to vote in person at the polling place on election day. ***Sign Here*** ______________________ __________
Signature *Date*

Check one:

☐ I have filed a certificate of permanent physical disability with the City or Town Clerk or Election Commissioners.

☐ I have not filed a certificate of permanent physical disability with the City or Town Clerk or Election Commissioners.

Applicant: Do not write in this section.

We, a majority of the Registrars of Voters, certify that the above signature, to the best of our knowledge and belief, appears to be genuine, and that we believe this applicant is a registered voter or otherwise qualified to vote in

______________, ______________
Ward *Precinct*

Signatures of Registrars of Voters or Election Commissioners ______________________ ______________________

______________________ ______________________

____
City or town

SAMPLE APPLICATION - SAV2

Commonwealth of Massachusetts
Office of the Secretary of State
Michael J. Connolly, Secretary

Application by a **RELATIVE** *for an*

ABSENTEE BALLOT *for:*

- *Massachusetts citizens absent from the state,*
- *armed forces or merchant marine active personnel or their spouses or dependents,*
- *registered voters who are students at Massachusetts colleges or universities, or,*
- *prisoners*

1. I, ______________________ , a registered voter at ______________________
Name of relative — *Street and number*
in ______________ apply for an absentee ballot for:
City or town

2. ______________________ whose voting address is ______________ ______________
Name of person for whom application is made — *Street and number* — *City or town*
______________ for the *(check one)* ☐ primary ☐ election to be held on ______________ 19____ .
Ward and precinct — *Date of primary or election*

3. If ballot is for a primary, check party whose ballot is requested: ☐ Democratic ☐ Republican

4. The person for whom this application is made is *(check and complete one)*:
   - ☐ a Massachusetts citizen absent from the state.
   - ☐ in the active service of the armed forces or merchant marine.
   - ☐ the *(circle one)* spouse or dependent of ______________________ who is in the active service of the armed forces or merchant marine.
     Name of service person
   - ☐ a student at a Massachusetts college or university away from home (registered voters only).
   - ☐ a prisoner in a correctional facility or jail.

5. The person for whom this application is made is *(check and complete one)*:
   - ☐ a registered voter
   - ☐ not registered, but is a United States citizen born in ______________________
     City or town
     ______________ on ______________ and eligible to vote in ______________
     State or country — *Date of birth* — *City or town*
     since that city or town is that person's legal voting residence or last place of residence in the United States.

6. I am the ______________ of the person for whom this application is made.
Relationship

7. Under the penalties of perjury, I swear *(or affirm)* that all of the above statements are true.

Sign here ______________________ ______________ , 19____
Signature of applicant — *Date*

8. Mail ballot to: ______________________________________
Name of person for whom application is made
____
Street and number, or military address
______________ ______________ ______________
City or town — *State or country* — *Zip code*

Applicant: Do not write in this section

We, a majority of the Registrars of Voters, certify that ______________________ is a registered voter or
Name of person for whom application is made
eligible to vote in ______________ , ______________
Ward — *Precinct*

Signatures of Registrars of Voters or Election Commissioners ______________ ______________
______________ ______________

____
City or town

Instructions to City or Town Clerk or Election Commissioners: When you receive the envelope containing the absentee ballot attach this application to the envelope before processing it.

SAMPLE APPLICATION - PAV2

Commonwealth of Massachusetts
Office of the Secretary of State
Michael J. Connolly, Secretary

Application by a
PRISONER *for an*
ABSENTEE BALLOT

---

1. I am a prisoner in a correctional facility or jail, and I apply for an absentee ballot for the indicated primary or election.

Sign Here ______________________________
Signature

____
Print name here

____
Home address before incarceration — street and number, city or town, state

____
Last date I lived at home address

____
Date of birth

2. Check appropriate boxes:
   - ☐ I am a registered voter
   - ☐ I am not a registered voter

3. The election I request a ballot for is a *(check one)* ☐ primary or ☐ election
   to be held on ____________ *Date* .

4. If a primary, I request a *(check one)* ☐ Democratic or ☐ Republican ballot

5. Send ballot to:

   ____
   Prison or jail address

   ____

   ____

6. Mail this application to: City or Town Clerk or Election Commission
   City or Town Hall
   Your Home City or Town, Massachusetts, Zip Code

Applicant: Do not write in this section.

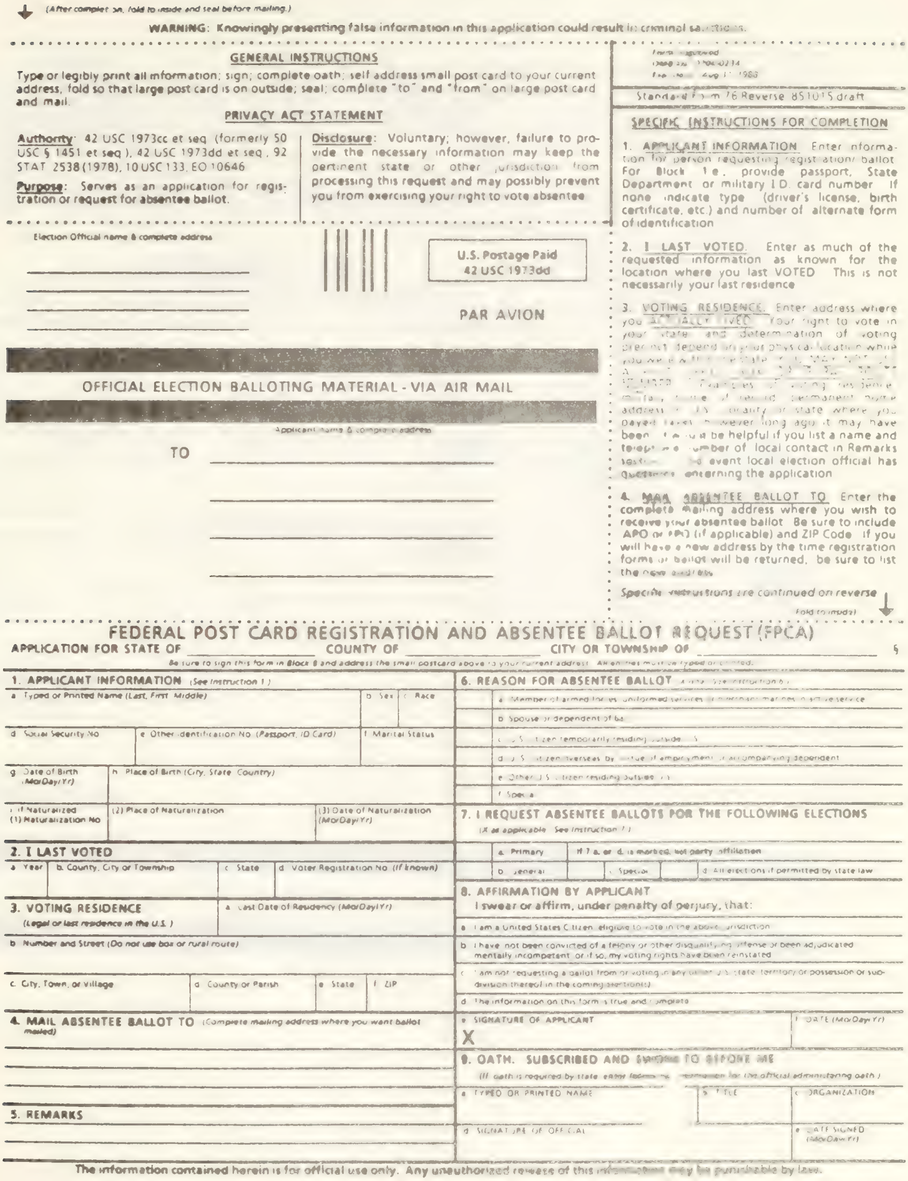
We, a majority of the Registrars of Voters, certify that the above signature, to the best of our knowledge and belief, appears to be genuine, and that we believe this applicant is a registered voter or otherwise qualified to vote in ____________ *Ward* , ____________ *Precinct*

Signatures of Registrars of Voters or Election Commissioners ____________ ____________
____________ ____________

____
City or town

SAMPLE FEDERAL POST CARD APPLICATION

WHITE - RED PRINTING



(After completion, fold to inside and seal before mailing.)

WARNING: Knowingly presenting false information in this application could result in criminal sanctions.

GENERAL INSTRUCTIONS

Type or legibly print all information; sign; complete oath; self address small post card to your current address, fold so that large post card is on outside; seal; complete "to" and "from" on large post card and mail.

PRIVACY ACT STATEMENT

Authority: 42 USC 1973cc et seq (formerly 50 USC § 1451 et seq), 42 USC 1973dd et seq , 92 STAT 2538 (1978), 10 USC 133, EO 10646

Purpose: Serves as an application for registration or request for absentee ballot.

Disclosure: Voluntary; however, failure to provide the necessary information may keep the pertinent state or other jurisdiction from processing this request and may possibly prevent you from exercising your right to vote absentee

Form Approved
OMB No. 0704-0214
Exp. Date Aug 1 1988

Standard Form 76 Reverse 851015 draft

SPECIFIC INSTRUCTIONS FOR COMPLETION

1. APPLICANT INFORMATION. Enter information for person requesting registration/ ballot. For Block 1 e, provide passport, State Department or military I.D. card number. If none indicate type (driver's license, birth certificate, etc.) and number of alternate form of identification

2. I LAST VOTED. Enter as much of the requested information as known for the location where you last VOTED. This is not necessarily your last residence

3. VOTING RESIDENCE. Enter address where you ACTUALLY LIVED. Your right to vote in your state and determination of voting precinct depend on your physical location while you were within the state. [illegible] EXAMPLES of voting residence: military home of record, permanent home address in U.S., locality or state where you payed taxes however long ago it may have been. It would be helpful if you list a name and telephone number of local contact in Remarks section in the event local election official has questions concerning the application

4. MAIL ABSENTEE BALLOT TO. Enter the complete mailing address where you wish to receive your absentee ballot. Be sure to include APO or FPO (if applicable) and ZIP Code. If you will have a new address by the time registration forms or ballot will be returned, be sure to list the new address

Specific instructions are continued on reverse

(Fold to inside)

Election Official name & complete address

U.S. Postage Paid
42 USC 1973dd

PAR AVION

OFFICIAL ELECTION BALLOTING MATERIAL - VIA AIR MAIL

Applicant name & complete address

TO

FEDERAL POST CARD REGISTRATION AND ABSENTEE BALLOT REQUEST (FPCA)

APPLICATION FOR STATE OF ____________ COUNTY OF ____________ CITY OR TOWNSHIP OF ____________ §

Be sure to sign this form in Block 8 and address the small postcard above to your current address. All entries must be typed or printed.

1. APPLICANT INFORMATION *(See Instruction 1)*

a Typed or Printed Name *(Last, First, Middle)*	b Sex	c Race
d Social Security No	e Other Identification No *(Passport, ID Card)*	f Marital Status
g Date of Birth *(Mo/Day/Yr)*	h Place of Birth (City, State, Country)	
i If Naturalized (1) Naturalization No	(2) Place of Naturalization	(3) Date of Naturalization *(Mo/Day/Yr)*

2. I LAST VOTED

a Year	b. County, City or Township	c State	d Voter Registration No *(If known)*

3. VOTING RESIDENCE *(Legal or last residence in the U.S.)*

a Last Date of Residency *(Mo/Day/Yr)*

b Number and Street *(Do not use box or rural route)*

c City, Town, or Village	d County or Parish	e State	f ZIP

4. MAIL ABSENTEE BALLOT TO *(Complete mailing address where you want ballot mailed)*

5. REMARKS

6. REASON FOR ABSENTEE BALLOT *(X one. See instruction 6)*

	a Member of armed forces, uniformed services or merchant marines in active service
	b Spouse or dependent of 6a
	c U.S. citizen temporarily residing outside U.S.
	d U.S. citizen overseas by virtue of employment or accompanying dependent
	e Other U.S. citizen residing outside U.S.
	f Special

7. I REQUEST ABSENTEE BALLOTS FOR THE FOLLOWING ELECTIONS *(X as applicable. See instruction 7)*

	a Primary	If 7 a. or d. is marked, list party affiliation			
	b General		c Special		d All elections if permitted by state law

8. AFFIRMATION BY APPLICANT
I swear or affirm, under penalty of perjury, that:

a I am a United States Citizen eligible to vote in the above jurisdiction

b I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated

c I am not requesting a ballot from or voting in any other U.S. state, territory or possession or subdivision thereof in the coming election(s)

d The information on this form is true and complete

e SIGNATURE OF APPLICANT X	f DATE (Mo/Day/Yr)

9. OATH. SUBSCRIBED AND SWORN TO BEFORE ME
(If oath is required by state, enter following information for the official administering oath.)

a TYPED OR PRINTED NAME	b TITLE	c ORGANIZATION
d SIGNATURE OF OFFICIAL		e DATE SIGNED (Mo/Day/Yr)

The information contained herein is for official use only. Any unauthorized release of this information may be punishable by law.

(over)

SAMPLE FEDERAL POST CARD APPLICATION

REVERSE

(Read and complete other side first.)

SPECIFIC INSTRUCTIONS FOR COMPLETION (Continued)

5. **REMARKS.** Provide any information which you feel will assist state officials in providing your ballot. Consult the APPROPRIATE U.S. OFFICIAL for specific information which may be required by your state. If you are requesting your state's special write in ballot, indicate here the reason why you are requesting the special write in ballot, i.e. isolated area with sporadic mail service, submarine duty, etc.

6. **REASON FOR ABSENTEE BALLOT.** Mark the appropriate block. In most states, marking Block 6 a., b., c., or d. will get you a full ballot. Marking Block 6 c. generally means that at some future time you intend to reside again in that state. Marking Block 6 e. generally means that you were a resident of the state before departing the U.S. and your intent to return at some time in the future is uncertain. Marking Block 6 e. will get you a Federal ballot only (if one is printed by the state). Block 6 f. applies to those special voters, missionaries, clergymen, students, teachers, etc., who may be given special voting rights by their states. Some also offer special status to persons on extended travel or vacation in the U.S. or overseas. Consult the APPROPRIATE U.S. OFFICIAL for more information.

7. **BALLOT REQUEST.** Mark all appropriate blocks. Some states require a separate application for registration and each election, others accept a single application for all elections in a calendar year. Consult the APPROPRIATE U.S. OFFICIAL for specific information concerning your state. If you mark Block 7 a. or d., also indicate which party ballot you want to receive, unless you live in Alaska, Guam, Hawaii, Idaho, Louisiana, Michigan, Minnesota, Montana, North Dakota, Utah, Vermont, Washington, or Wisconsin. Because primary party affiliation is secret in these states, you are not required to disclose your party affiliation. Federal law provides that no tax liability may be imposed based on exercising your right to vote in Federal elections. If you are a civilian citizen residing outside the U.S. and wish to avoid classifying yourself as a state resident for tax purposes, you should mark Block 6 d. You will normally receive a Federal ballot only. If the state sends a full ballot because it does not print a separate Federal ballot, you may vote the full ballot without incurring a tax liability.

8. **AFFIRMATION.** Block 8 b. In some states a criminal conviction for a felony or certain misdemeanors, or an adjudication of mental incompetency disqualifies a person from voting, unless there has been a reinstatement of voting rights. Consult the APPROPRIATE U.S. OFFICIAL for further information.

9. **OATH.** Not all states require completion of this item. Consult the APPROPRIATE U.S. OFFICIAL for your state's requirements. If the signature of two witnesses is required, one should sign in the Oath section and the other in the Remarks section.

POST CARD ADDRESSES.

-- Small post card on other side of the form - enter your name and complete current mailing address in the "to" section.

-- Large post card on this side of the form - enter your name and complete current mailing address on the upper left corner (return address). Enter the name and mailing address for the proper county, city, township or State official in the "to" section. Consult with the APPROPRIATE U.S. OFFICIAL to determine the correct address for your application.

DEFINITIONS

APPROPRIATE U.S. OFFICIAL. As used herein [illegible] to Unit Voting Officers or Counselors, Commanding Officers, U.S. Embassy or U.S. [illegible] Officers or any other official who has [illegible] the VOTING ASSISTANCE GUIDE.

VOTING ASSISTANCE GUIDE is published each [illegible] numbered year. It contains voting information for all states, U.S. territories and the District of Columbia. The VOTING ASSISTANCE GUIDE is distributed to all Unit Voting Officers, Commanding Officers, U.S. Embassies and Consulates and State Election Officials. Copies of the VOTING ASSISTANCE GUIDE are available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 1575.

(Fold to outside)

NOTE TO ELECTION OFFICIAL

This is a return post card for your use. Please mark and fill in applicable items, sign your name, add your return address on reverse side and return to the applicant.

THIS ACKNOWLEDGES RECEIPT OF YOUR POST CARD REGISTRATION & ABSENTEE BALLOT REQUEST

	You will be sent an absentee ballot for the election(s)
	Your ballot(s) will be mailed approximately
	Your application cannot be processed. Item(s) must be completed Please resubmit a completely new application
	Your application is incomplete. Please provide the following information to complete your application
	A separate application must be submitted for each election
	Other Comments

Signature	Title	Date Signed

Applicant name and complete address

____

____

____

U.S. Postage Paid
42 USC 1973dd

Standard Form 76, Month 1985
1981 edition may be used

PAR AVION

OFFICIAL ELECTION BALLOTING MATERIAL - VIA AIR MAIL

TO ______________________________

____

____

____

SAMPLE REQUEST FOR ABSENTEE BALLOT

October 10, 1984

Dear Town Clerk:

Please send me a ballot so I can vote for president. Send to 45A Forest St., Detroit, Michigan. My home address is 16 Center Street.

Voter's Signature

SAMPLE CERTIFICATE OF PERMANENT DISABILITY

Date____________________

To: Town Clerk
Midtown, MA

This is to certify I am personally acquainted with

____________________________________ of
(voter's name)

______________________________________and am aware of
(voter's address)

his/her permanent physical disability. It is reasonably certain that because of permanent physical disability, this voter will not be able to cast a vote at the polling place on election day.

____
(physician's signature)

____
(physician's printed name)

SAMPLE INSTRUCTIONS - PERMANENTLY DISABLED VOTERS

(Town Clerk Letterhead)

Date____________

Applicant's name
Applicant's adddress

Dear [applicant's name]:

Enclosed please find an application for an absentee ballot for the primary/election to be held on ___[date]_____

If you wish to vote by absentee ballot in this primary/election, you should complete and return this application as soon as possible. The application must be received by this office not later than _[time]_ on _[date]_.

Information from our records has already been entered on the application form. Please check the information to be certain it is accurate. If any errors are found, please cross out the incorrect information and write in the correction directly above.

You must sign the application where you see the red check mark under item 2. and under item 6. Please sign as you are registered. [If a primary, for unenrolled voters add the following: Please check one of the boxes in item 2. (see red arrow) to indicate which party's ballot you wish.]

A self-addressed envelope has been provided for your convenience in returning the application to this office. If you have any question, please call me at [tel. no.]. [If applicant is in a health care facility, you might suggest he contact the activities director or nurse, etc. instead of calling you.]

Very truly yours,

Your signature
Town Clerk

SAMPLE

INFORMATION ON ABSENTEE VOTING - HEALTH CARE FACILITIES

The following has been prepared for your information so that you may be better able to assist your residents in voting by absentee ballot. If you have any questions or need further information, please contact the Registrar's office at [telephone number].

ELIGIBILITY

In order to be eligible to vote by absentee ballot from this town, a resident of your facility must be a registered voter here. If there are a number of residents who wish to register as voters, the Board of Registrars will schedule a special registration session to be held at the facility. If, however, there are only one or two residents who wish to register, they may make application for absent registration on forms available at this office. Once the form has been completed and filed, two registrars or assistant registrars will make an appointment to come to the facility to register the applicants.

In either case, please contact this office not later than [date] to make arrangements for voter registration at your facility.

Qualifications for registration are as follows: [list qualifications]

If a resident is from out of state, you may want to discuss registration with his family. Becoming a registered voter in Massachusetts may affect his rights and the administration of his estate in the state from which he came. He may prefer to vote by absentee ballot from that state and, in that case, he should contact the clerk in the town where he was registered prior to admittance to your facility.

APPLICATIONS FOR ABSENTEE BALLOTS

A voter must make an application for an absentee ballot for each primary or election in which he wishes to vote. Blank application forms are available from this office and will be supplied upon request.

A completed and signed application must be received at the town clerk's office by 12:00 noon on the day before the election. [add deadline for town elections, if held on a Monday] Using an official application form is not required. The voter may send a letter requesting a ballot, but he should be certain to sign the letter and, for a primary, should indicate the party whose ballot he wants.

PERMANENT DISABILITY CERTIFICATE

Some of your residents may wish to have a certificate of permanent disability filed in this office. The certificate must be completed and signed by a registered physician. Once on file, the resident will automatically receive an application for an absentee ballot at least 28 days before each primary or election. If the voter wishes to vote in the primary or election he/she will need to sign the application and have it returned to this office.

Certified permanently disabled voters are not required to have their absentee ballots witnessed. They may be assisted, if necessary, by any person of their choice.

DESIGNATED HEALTH CARE FACILITIES

If your health care facility is included in the definition under Ch. 111, s. 25B of the General Laws, it may be designated by the town clerk or by two registrars for the purpose of supervised voting. If your facility has not yet been designated, but you believe designation is advisable or necessary, please contact the office immediately.

Special provisions apply to the delivery of ballots to designated health care facilities. Ballots cannot be mailed, but will be hand delivered by a registrar or by two assistant registrars of different political parties. The officials will witness the ballots and provide assistance when requested by the voter. The officials will make certain that the envelopes are properly completed, signed and sealed. They will also make certain that the sealed ballots are safely returned to the office.

Prior arrangements will be made to ensure that voting takes place at the convenience of the voters. Voting must be completed in time to permit the voted ballots to be returned to the town clerk's office not later than the day before the election.

NON-DESIGNATED HEALTH CARE FACILITIES

If your facility is not designated for the purpose of supervised voting, ballots will be mailed to those voters whose applications were received and certified.

Be certain that each voter receives the ballot mailed to him, even if he has become mentally incapacitated since he made application. If he cannot accept the ballot, leave it in his room. You should not hold it at your office or return it to the town clerk's office.

If an absentee ballot is received at your facility addressed to a voter who has been moved to another facility, you should forward the ballot to him through the post office.

If the voter died after he made his application but before the ballot arrived, please inform this office immediately.

A voter in a nondesignated health care facility must have a witness present when he votes, unless he has filed a certificate of permanent disability. The witness may be any person chosen by the voter but must be at least 18 years old.

The witness is prohibited from attempting in any way to influence the voter in how he votes. He is also prohibited from seeing how the voter marks his ballot, unless the voter requests assistance.

SPECIAL PROVISIONS - RECENT ADMITTANCE

Special provisions apply to voters who have been admitted to any health care facility shortly before the election whether or not the facility has been designated for supervised voting. In this case, a ballot may be hand delivered by a registrar, two assistant registrars or, if authorized by the town clerk, by the voter's relative. However, the voter must first make an application and sign a statement under the penalty of perjury that he was admitted after 12:00 noon of the 5th day before the election. Forms for application and the required statement are available at the town clerk's office. However, a form is not necessary as long as the voter sends a letter requesting a ballot, enters the required information in the statement and the words "Signed under the penalty of perjury" above his signature.

SAMPLE NOTICE - INFORMATION NEEDED

(Town Clerk or Board of Registrars Letterhead Paper)

Date__________

Applicant's Name
Applicant's Address

Dear [applicant's name]:

We are in receipt of your request for an absentee ballot for the coming election [primary]. This is to inform you that we are unable to act upon your request for the following reason:

____You neglected to sign your request.

____You neglected to indicate which party's ballot you request. Independent or unenrolled voters must request either a Democratic or a Republican ballot.

____Your name does not appear in our voter registration or resident records. Please furnish your most recent address and your previous address. If your name has changed, please furnish your former name.

____You neglected to include the address to which the ballot should be mailed.

____If you have recently registered, please inform us of the approximate date of registration.

____
____
____

Please supply the above checked information as soon as possible to Town Clerk's Office, Town Hall, Midtown, MA 00001. Enclosed is an application form and a self-addressed envelope for your convenience.

Very truly yours,

Signature
Town Clerk
[Or, Clerk, Board of Registrars]

SAMPLE NOTICE - BALLOT MAY BE CHALLENGED
(Registrars Letterhead)

Date____________

Applicant's Name
Applicant's Address

Dear [applicant's name]

Your request for an absentee ballot for the primary/election to be held on [date] has been received. The records of this office show that you were dropped from the voting list in [year].

Enclosed please find an affidavit of continuous residence form [census form, application to have name returned to voting list]. This form should be completed, signed and returned to this office as soon as possible together with a photocopy of suitable identification showing a current address in this town. Suitable identification may be any of the following: [list items]

However, if you cannot return the requested form and identification by [date], a ballot will be mailed to you anyway. You may then enclose the form and identification in the return envelope provided. Enclose only the voted ballot in the envelope marked R containing the affidavits. Follow the instructions for voting printed on the back of your ballot (or, for punch card voting, on the absentee ballot pamphlet of enclosed with the ballot).

If the form and identification are not received by the day of the election (primary), however, your ballot will be challenged before being deposited in the ballot box. Your name and address will be written on the oustide of the ballot in accordance with Ch. 54, s. 85 of the General Laws. The ballot will be counted on election night but if a recount is held following the election, it may be rejected at that time.

If you have any questions, please contact us at Town Hall, Midtown, MA 00001, [telephone number].

Very truly yours,

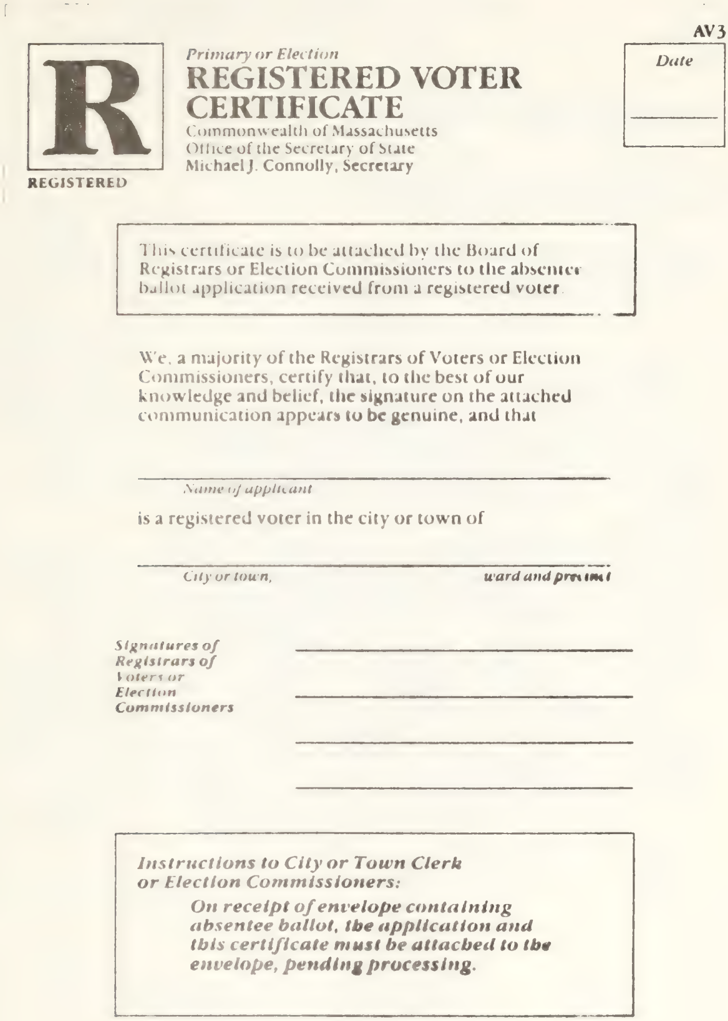
MIDTOWN BOARD OF REGISTRARS

By: your signature
Typed name, Clerk

Note: The above notice should be adjusted if time contraints require that it be enclosed with the ballot.

SAMPLE REGISTERED VOTER CERTIFICATE - AV3

8½" X 11"



AV3

R

REGISTERED

Primary or Election

REGISTERED VOTER CERTIFICATE

Commonwealth of Massachusetts
Office of the Secretary of State
Michael J. Connolly, Secretary

Date

This certificate is to be attached by the Board of Registrars or Election Commissioners to the absentee ballot application received from a registered voter.

We, a majority of the Registrars of Voters or Election Commissioners, certify that, to the best of our knowledge and belief, the signature on the attached communication appears to be genuine, and that

____
Name of applicant

is a registered voter in the city or town of

____
City or town, ward and precinct

Signatures of Registrars of Voters or Election Commissioners

____

____

____

____

Instructions to City or Town Clerk or Election Commissioners:

On receipt of envelope containing absentee ballot, the application and this certificate must be attached to the envelope, pending processing.

SAMPLE ABSENTEE BALLOT DISPOSITION SHEET

REGISTERED VOTER - FORM A.V.20

8½" X 14" WHITE - BLUE PRINTING

R

Registere

PRESIDENTIAL ELECTION NOVEMBER 8, 1984

Absentee Ballots — Registered Voters

CITY OR TOWN MIDTOWN WARD ____ PRECINCT 1

The following is a correct tally of the disposition made of registered voters' absentee ballots received from the clerk this day.

____
Warden

Check in proper column disposition made of each absentee ballot

1984 DATE	Name on Absentee Ballot Envelope	Voting Address of Absentee Voter	Ballot Cast	Rejected as Defective	Rejected as Not a Voter	Rejected Voted in Person
10/19	MARY L. SMITH	10 ALLEN AVE	X			
10/19	PAUL R SMITH	10 ALLEN AVE	X			
10/18	ALICE R JONES	5 BIRCH ST VIP	X			
10/18	JOHN A JONES III	5 BIRCH ST VIP	X			
10/22	FLORENCE JANEWAY	1 CENTER ST		X		
10/30	SUSAN ADAMS	3 CENTER ST	X			
10/31	WILLIAM ADAMS	3 CENTER ST	X			

SAMPLE NOTICE - REJECTED APPLICATION
(Board of Registrars Letterhead)

Date________________

Applicant's Name
Applicant's address

Dear [applicant's name]:

This is to notify you that the Board of Registrars at its meeting of [date] voted to reject your application for an absentee ballot for the election [primary] of [date]. This action was taken because no record has been found that you are or have been a registered voter or resident of this town.

While we cannot send you a regular absentee ballot, you are entitled to mark an escrow ballot and return it to this office if you wish. Your escrow ballot and the required envelopes are enclosed. Follow the procedures outlined in the instructions on the back of the ballot [on the absentee ballot pamphlet or enclosed with the ballot for punch card voting].

Also enclosed is an escrow voter form which you should complete, sign and return to this office along with your ballot. Please enclose the form in the return envelope. Enclose only your ballot in the envelope marked R [N] containing the affidavits.

Escrow ballots will not be counted on election day. If the number of escrow ballots marked may affect the outcome of the election, the Board of Registrars will determine, after the election, whether or not each escrow ballot is eligible to be counted. If you have evidence to substantiate that you are or were a registered voter or resident of this town and that you are eligible to vote here, you may enclose a copy in the return envelope. The Board will consider such evidence in making its determination.

If you have any questions, please contact us at Town Hall, Midtown, MA 00001 [telephone number].

Very Truly yours,

Midtown Board of Registrars

By: your signature
Typed name, Clerk

SAMPLE NON-REGIGSTERED PERSON CERTIFICATE - SAV3

8½" X 11"

SAV3

N

NON-REGISTERED

Primary or Election

NON-REGISTERED PERSON CERTIFICATE

Commonwealth of Massachusetts
Office of the Secretary of State
Michael J. Connolly, Secretary

Date

______

This certificate is to be attached by the Board of Registrars or Election Commissioners to the communication applying for an absentee ballot received from a non-registered person who is a Massachusetts citizen absent from the state, or an active member of the armed forces or merchant marine or his or her spouse or dependents, or a prisoner.

We, a majority of the Registrars of Voters or Election Commissioners, certify that, to the best of our knowledge and belief, the signature on the attached communication appears to be genuine, and that

____
Name of applicant

is eligible to vote by absentee ballot in

____
City or town, *ward and precinct*

Signatures of Registrars of Voters or Election Commissioners

____

____

____

____

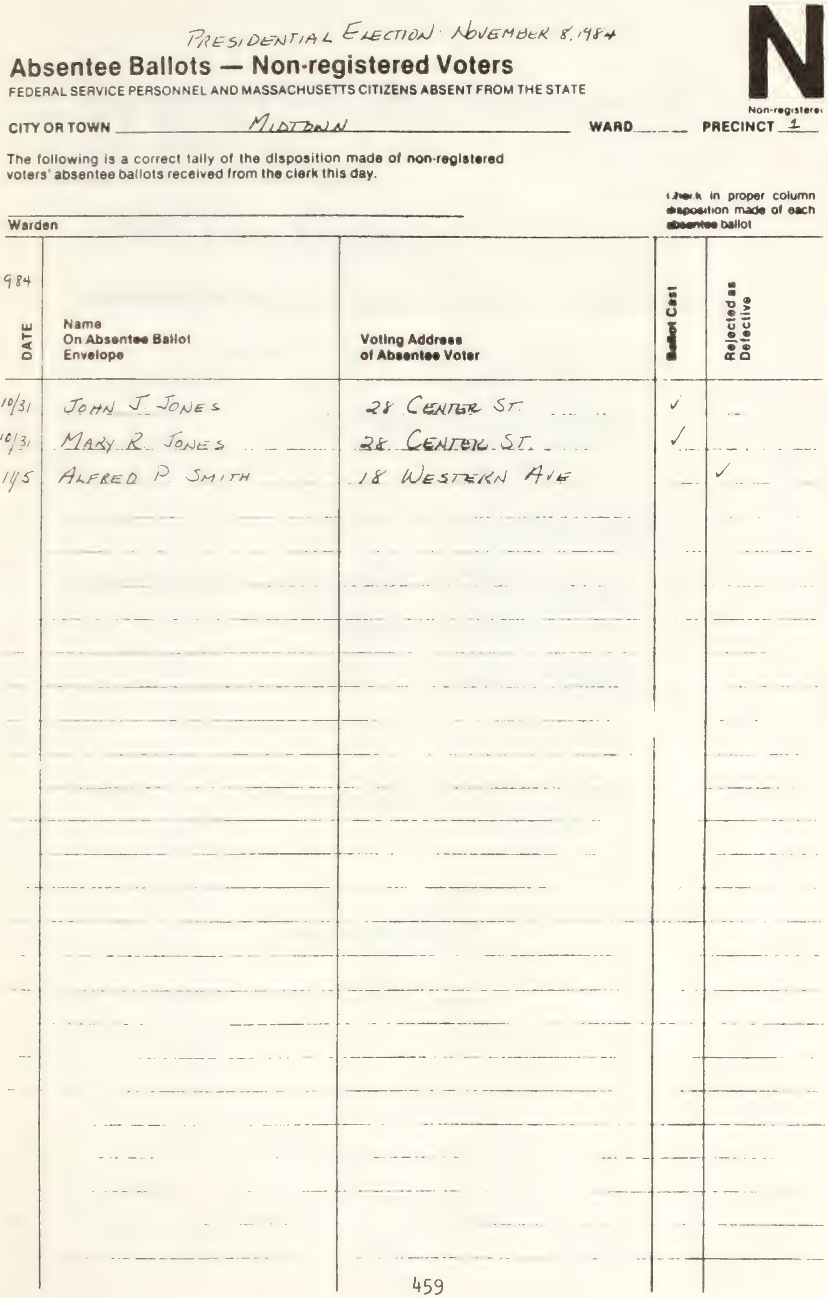
Instructions to City or Town Clerk or Election Commissioners:

On receipt of envelope containing absentee ballot from a non-registered voter, the application and this certificate must be attached to the envelope, pending processing.

SAMPLE ABSENTEE BALLOT DISPOSITION SHEET

NON-REGISTERED VOTER - FORM A.V.20A

$8\frac{1}{2}$" X 14"   WHITE - BLACK PRINTING



PRESIDENTIAL ELECTION: NOVEMBER 8, 1984

Absentee Ballots — Non-registered Voters

FEDERAL SERVICE PERSONNEL AND MASSACHUSETTS CITIZENS ABSENT FROM THE STATE

N

Non-registere

CITY OR TOWN MIDTOWN WARD ____ PRECINCT 1

The following is a correct tally of the disposition made of non-registered voters' absentee ballots received from the clerk this day.

____

Warden

Check in proper column disposition made of each absentee ballot

1984 DATE	Name On Absentee Ballot Envelope	Voting Address of Absentee Voter	Ballot Cast	Rejected as Defective
10/31	JOHN J. JONES	28 CENTER ST.	✓	
10/31	MARY R. JONES	28 CENTER ST.	✓	
11/5	ALFRED P. SMITH	18 WESTERN AVE		✓

Commonwealth of Massachusetts
Office of the Secretary of State
Michael J. Connolly, Secretary

POLICE INVESTIGATION

under G.L. ch. 54, § 103K.

This is to certify that, after investigation, I find that

JOHN J. ADAMS, JR
Name of person in whose behalf application is made

☑ is ☐ is not a legal resident of

MIDTOWN
City or town and state

at 101 APPLEGATE LN
Street and number

This information was furnished to me by

MARY R. ADAMS - MOTHER
Name of informant

who resides at

101 APPLEGATE LN
Place of residence of informant

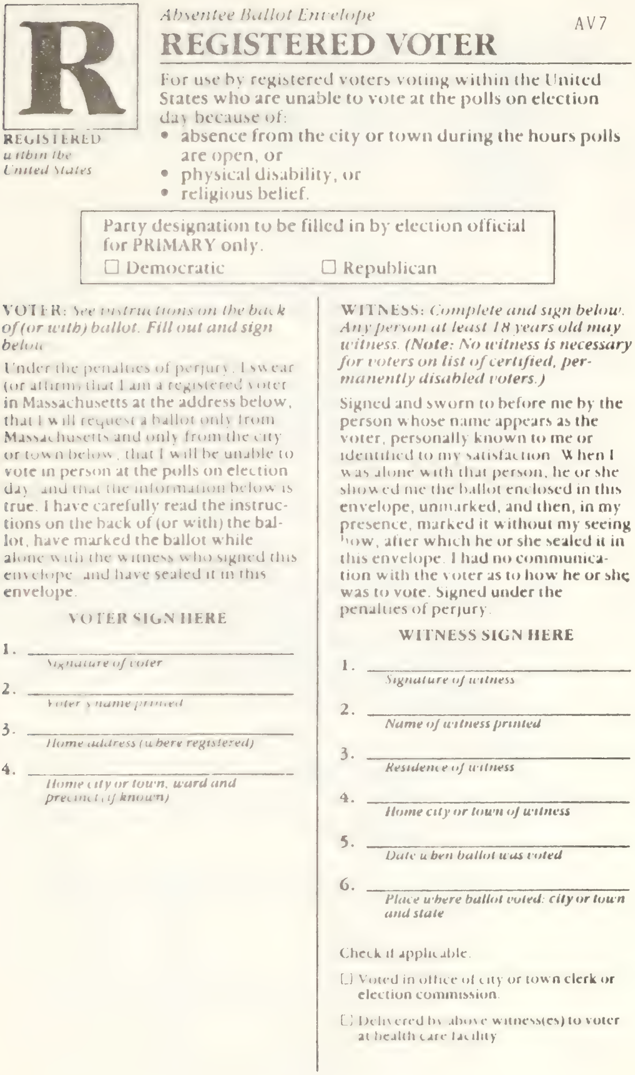
Signed: Francis B. White
Signature of police officer

10/15/84
Date

SAMPLE STATE BALLOT ENVELOPE

REGISTERED VOTER

5" X 9"   MANILA - BLACK PRINTING



R

REGISTERED
within the
United States

Absentee Ballot Envelope

AV7

REGISTERED VOTER

For use by registered voters voting within the United States who are unable to vote at the polls on election day because of:

- absence from the city or town during the hours polls are open, or
- physical disability, or
- religious belief.

Party designation to be filled in by election official for PRIMARY only.
☐ Democratic ☐ Republican

VOTER: *See instructions on the back of (or with) ballot. Fill out and sign below.*

Under the penalties of perjury, I swear (or affirm) that I am a registered voter in Massachusetts at the address below, that I will request a ballot only from Massachusetts and only from the city or town below, that I will be unable to vote in person at the polls on election day, and that the information below is true. I have carefully read the instructions on the back of (or with) the ballot, have marked the ballot while alone with the witness who signed this envelope, and have sealed it in this envelope.

VOTER SIGN HERE

1. ______________________
Signature of voter

2. ______________________
Voter's name printed

3. ______________________
Home address (where registered)

4. ______________________
Home city or town, ward and precinct (if known)

WITNESS: *Complete and sign below. Any person at least 18 years old may witness.* ***(Note: No witness is necessary for voters on list of certified, permanently disabled voters.)***

Signed and sworn to before me by the person whose name appears as the voter, personally known to me or identified to my satisfaction. When I was alone with that person, he or she showed me the ballot enclosed in this envelope, unmarked, and then, in my presence, marked it without my seeing how, after which he or she sealed it in this envelope. I had no communication with the voter as to how he or she was to vote. Signed under the penalties of perjury.

WITNESS SIGN HERE

1. ______________________
Signature of witness

2. ______________________
Name of witness printed

3. ______________________
Residence of witness

4. ______________________
Home city or town of witness

5. ______________________
Date when ballot was voted

6. ______________________
Place where ballot voted: city or town and state

Check if applicable.

☐ Voted in office of city or town clerk or election commission.

☐ Delivered by above witness(es) to voter at health care facility

SAMPLE STATE BALLOT ENVELOPE

CERTIFIED PERMANENTY DISABLED
OR
OUTSIDE THE UNITED STATES

5" X 9"   MANILA - BLACK PRINTING

C

PHYSICALLY DISABLED, OR OUTSIDE THE UNITED STATES

Absentee Ballot Envelope AV6

PHYSICALLY DISABLED, OR OUTSIDE THE UNITED STATES

Party designation to be filled in by election official for PRIMARY only.
☐ Democratic ☐ Republican

No witness required: for voters who are on the official list of certified permanently disabled voters, or who are voting outside the United States, there is no witness requirement.

VOTER: See instructions on back of (or with) ballot. Fill out and sign below.

Under penalties of perjury, I swear (or affirm) that I am eligible to vote in Massachusetts at the address below, that I will request a ballot only from Massachusetts and only from the city or town below, that I will be unable to vote in person at the polls on election day, and that all the information below is true. I have carefully read the instructions on the back of (or with) the ballot, and I have marked the ballot while alone, and enclosed and sealed it in this envelope.

Sign here 1. ______________________________
Signature of voter

2. ______________________________
Voter's name printed

3. ______________________________
Home address (where registered, if a registered voter)

4. ______________________________
Home city or town *ward* *precinct (if known)*

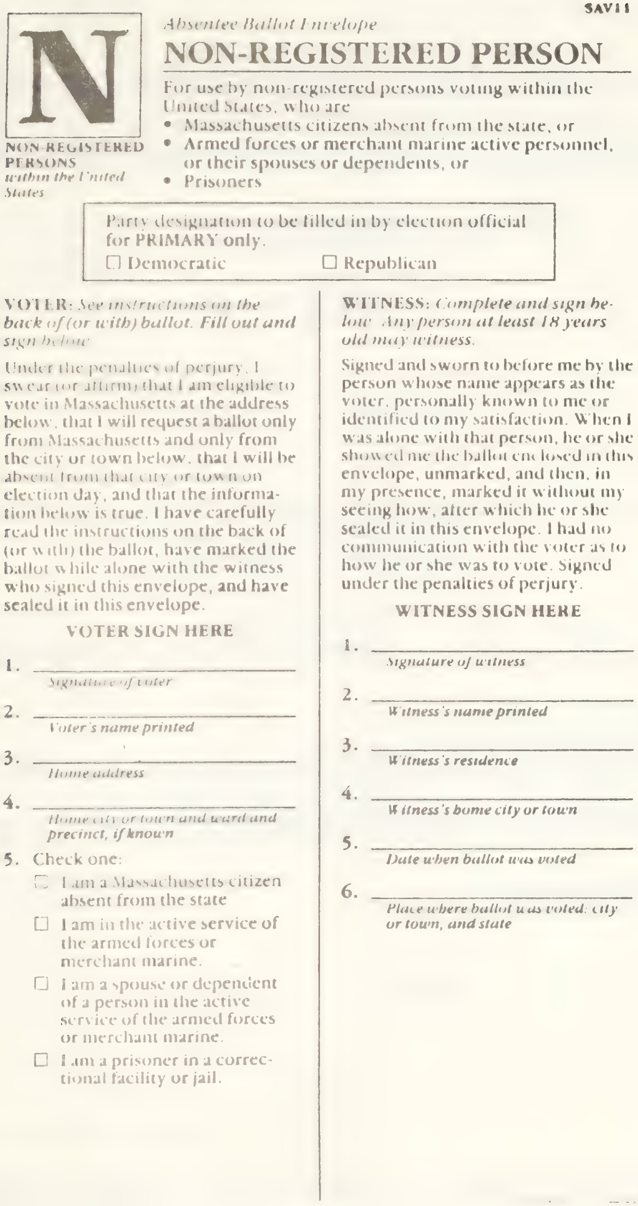
5. ______________________________
City or town, state or country where ballot is voted

6. ______________________________
Date when mailed back to election official

SAMPLE STATE BALLOT ENVELOPE

NON-REGISTERED PERSONS
WITHIN THE UNITED STATES

5" X 9"   MANILA - BLACK PRINTING



SAV11

N

NON-REGISTERED PERSONS
within the United States

Absentee Ballot Envelope

NON-REGISTERED PERSON

For use by non-registered persons voting within the United States, who are

- Massachusetts citizens absent from the state, or
- Armed forces or merchant marine active personnel, or their spouses or dependents, or
- Prisoners

Party designation to be filled in by election official for **PRIMARY** only.
☐ Democratic ☐ Republican

VOTER: *See instructions on the back of (or with) ballot. Fill out and sign below*

Under the penalties of perjury, I swear (or affirm) that I am eligible to vote in Massachusetts at the address below, that I will request a ballot only from Massachusetts and only from the city or town below, that I will be absent from that city or town on election day, and that the information below is true. I have carefully read the instructions on the back of (or with) the ballot, have marked the ballot while alone with the witness who signed this envelope, and have sealed it in this envelope.

VOTER SIGN HERE

1. ______________________
Signature of voter

2. ______________________
Voter's name printed

3. ______________________
Home address

4. ______________________
Home city or town and ward and precinct, if known

5. Check one:
   - ☐ I am a Massachusetts citizen absent from the state
   - ☐ I am in the active service of the armed forces or merchant marine.
   - ☐ I am a spouse or dependent of a person in the active service of the armed forces or merchant marine.
   - ☐ I am a prisoner in a correctional facility or jail.

WITNESS: *Complete and sign below. Any person at least 18 years old may witness.*

Signed and sworn to before me by the person whose name appears as the voter, personally known to me or identified to my satisfaction. When I was alone with that person, he or she showed me the ballot enclosed in this envelope, unmarked, and then, in my presence, marked it without my seeing how, after which he or she sealed it in this envelope. I had no communication with the voter as to how he or she was to vote. Signed under the penalties of perjury.

WITNESS SIGN HERE

1. ______________________
Signature of witness

2. ______________________
Witness's name printed

3. ______________________
Witness's residence

4. ______________________
Witness's home city or town

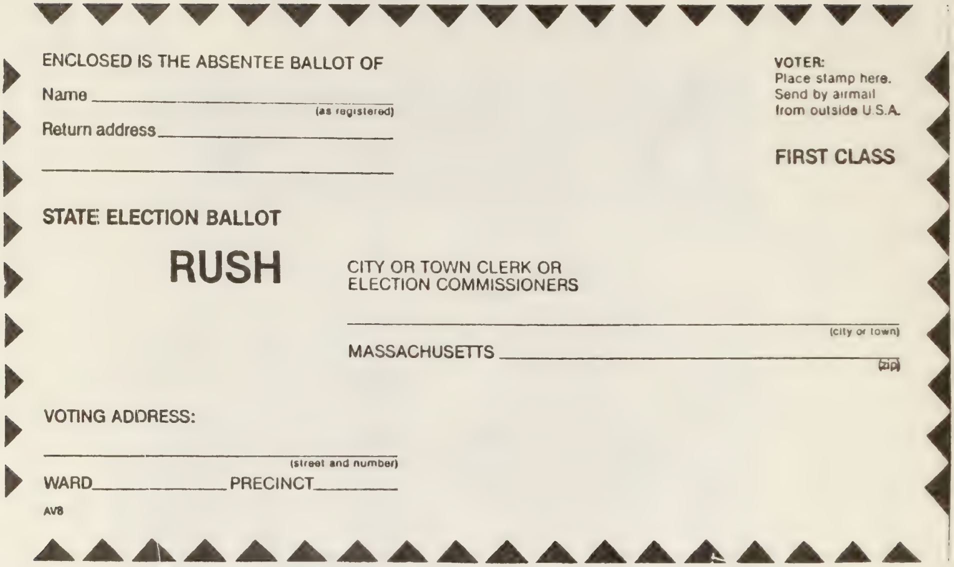
5. ______________________
Date when ballot was voted

6. ______________________
Place where ballot was voted: city or town, and state

SAMPLE STATE RETURN ENVELOPE

9½" X 5½" WHITE - GREEN PRINTING

POSTAGE REQUIRED



ENCLOSED IS THE ABSENTEE BALLOT OF

Name ______________________ (as registered)

Return address ______________________

____

VOTER:
Place stamp here.
Send by airmail
from outside U.S.A.

FIRST CLASS

STATE ELECTION BALLOT

RUSH

CITY OR TOWN CLERK OR
ELECTION COMMISSIONERS

______________________ (city or town)

MASSACHUSETTS ______________________ (zip)

VOTING ADDRESS:

______________________ (street and number)

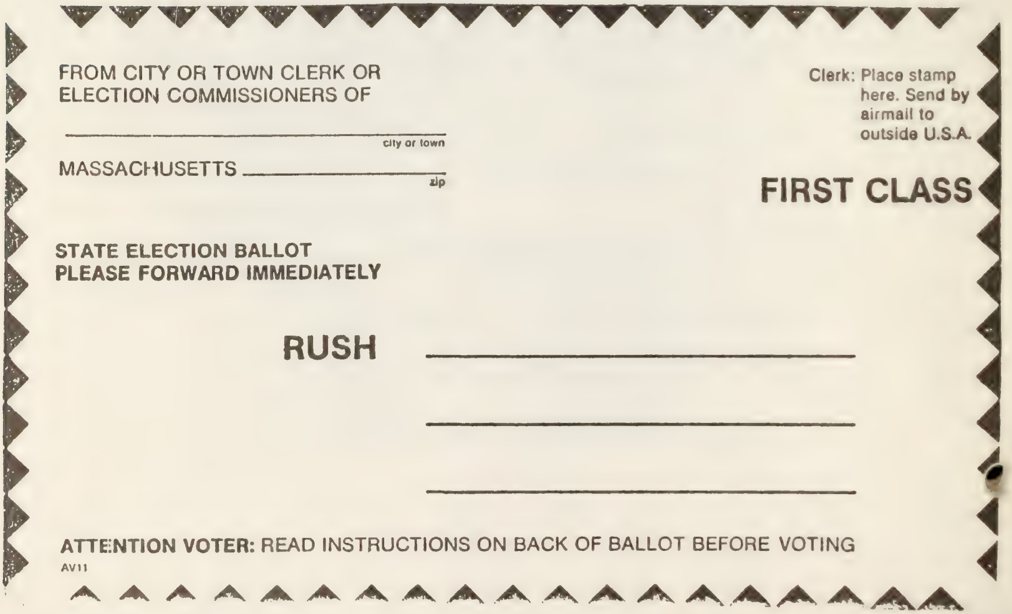
WARD__________ PRECINCT__________

AV8

SAMPLE STATE MAILING ENVELOPE

10" X 6" MANILA - GREEN PRINTING

POSTAGE REQUIRED



FROM CITY OR TOWN CLERK OR
ELECTION COMMISSIONERS OF

______________________ city or town

MASSACHUSETTS ______________________ zip

Clerk: Place stamp
here. Send by
airmail to
outside U.S.A.

FIRST CLASS

STATE ELECTION BALLOT
PLEASE FORWARD IMMEDIATELY

RUSH ______________________

____

____

ATTENTION VOTER: READ INSTRUCTIONS ON BACK OF BALLOT BEFORE VOTING

AV11

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POSTAGE FREE

NAME ____________________

RETURN ADDRESS

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RUSH

CITY OR TOWN CLERK OR
ELECTION COMMISSIONERS

____________________ city or town

MASSACHUSETTS ____________________ zip

VOTING ADDRESS:

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WARD __________ PRECINCT __________

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RUSH ____________________

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ATTENTION VOTER: READ INSTRUCTIONS ON BACK OF BALLOT BEFORE VOTING

SAV7

CHART

ENVELOPES TO BE USED FOR ABSENTEE BALLOTS

	ENVELOPES		
VOTER CLASSIFICATION	BALLOT	RETURN	MAILING
REGISTERED VOTER			
Perm. Phys. Disabled (PPD)	C #AV6	#AV8	#AV11
Military in U.S.(MRV)	R #AV7	#SAV8	#SAV7
Overseas, including military (ORV)	C #AV6	#SAV8	#SAV7
Vote in Person (VIP)	R #AV7 Check first box	#AV8	NONE
Health Care Facility Voters [HCF]	R #AV7 Check second box	#AV8	NONE
All others (RV)	R #AV7	#AV8	#AV11
....			
NON-REGISTERED SPECIALLY QUALIFIED VOTERS			
Military in U.S.(N-RM)	N #SAV11	#SAV8	#SAV7
Overseas, including military (N-RO)	C #AV6	#SAV8	#SAV7
All others (N-RV) (including prisoners)	N #SAV11	#AV8	#AV11

SAMPLE NOTICE - REJECTED BALLOT

NOTICE THAT ABSENTEE BALLOT HAS BEEN REJECTED

Your absentee ballot for the primary ☐ election ☐ which is to be/was held on ________ has been rejected as defective
Date

for the following reason(s):

☐ Voter's signature omitted
☐ Signature not that of voter
☐ Witness omitted
☐ Witnessed by a candidate
☐ Other ______________________________
reason

____
City or Town Clerk or Election Commissioner of

____
City or town *Date notice was sent*

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